



Central African Republic

Materials Published Between April 2015 and March 2016

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Printed in the United States of America

Cover design by Rafael Jimenez

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Materials Published Between April 2015 and March 2016

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Prioritize Protection, Justice

Investigations and Prosecutions are Key to Ensuring Accountability

<https://www.hrw.org/news/2016/03/29/central-african-republic-prioritize-protection-justice>

March 29, 2016 – Press Release

(Nairobi) – The new president of the Central African Republic, Faustin-Archange Touadéra, should make security and justice for serious human rights abuses priorities for his government, Human Rights Watch said today.

Touadéra, a former prime minister, is to take office on March 30, 2016, after winning a runoff election on February 14. His new administration will replace a transition government that has struggled to establish security and stop sectarian violence over the last two years.

“The new government needs to act quickly, with support from the international community, to protect civilians and stop ongoing abuses,” said Lewis Mudge, Africa researcher at Human Rights Watch. “Reducing tensions, working on justice and reconciliation, and protecting civilians from further attacks and violence should be the first priority.”

The Central African Republic has been in crisis since late 2012, when the mostly Muslim Seleka rebels ousted the government of François Bozizé and committed widespread abuses against civilians. In mid-2013, groups of Christians and animists, known as the anti-balaka militia, in turn carried out large scale reprisal attacks against Muslim civilians in Bangui and western parts of the country. Almost a million people have been forced to flee their homes in the ensuing violence.

Sectarian killings continue in the capital, Bangui, and several areas in the center of the country. In recent months, Seleka fighters, armed Muslims, and anti-balaka fighters have engaged in tit-for-tat reprisal attacks, sparking waves of killings around the Muslim enclave of Kilomètre 5 and in the town of Bambari.

Improving security requires disarming rebel factions and re-establishing the security forces. Both tasks will require the new government to rely heavily on the 12,000-member United Nations peacekeeping mission, MINUSCA.

There has been almost no progress on disarming rebel factions and armed groups in the country over the past two years. A disarmament program supported by the international community is still in early stages. Disarming and finding new occupations for combatants will be critical to ending attacks on civilians and restoring government control, Human Rights Watch said.

The national army, the police, and other security forces also need to be reformed. Any re-arming of the army would need to take into account the serious human rights abuses some soldiers and their commanders may have committed during the violence in recent years. A vetting mechanism is essential to remove soldiers who have committed serious human rights abuses from the army's ranks, including those in senior positions. Proper vetting should also ensure that new recruits do not bear responsibility for serious crimes.

The Central African Republic has had numerous mutinies, rebellions, and coups over the last 20 years. Almost none of those responsible for widespread human rights abuses have been held accountable. The cycles of impunity have fueled ongoing abuses and emboldened those who seek to take power by force, Human Rights Watch said.

The new government will inherit an overburdened and barely functioning judicial system and will need international support to ensure that those who committed crimes during the violence are held accountable.

Since September 2014, the office of the prosecutor of the International Criminal Court (ICC) has been conducting a second investigation in the Central African Republic focusing on alleged crimes in the country since August 2012. In June 2015, the Central African Republic's transitional president promulgated a law to establish a Special Criminal Court, consisting of national and international staff, to investigate and prosecute the gravest crimes committed in the country since 2003, including war crimes and crimes against humanity.

The ICC has not yet issued arrest warrants or started trials, and the Special Criminal Court exists only on paper. Full cooperation from the government with the ICC will be key for it to carry out its work. The government should also take the lead on the quick establishment of the Special Criminal Court. The new president should make it clear that his government will support the work of the Special Criminal Court and ask donors to mobilize the funds and technical support that will ensure the court's effective operation, Human Rights Watch said.

"The fight against impunity has been a clear demand from the population and should be firmly on the agenda of the new government," Mudge said. "The ICC and the new Special Criminal Court are the country's best chance to break longstanding cycles of violence, deter future crimes, and ensure accountability for the victims."

UN Human Rights Council: Interactive Dialogue with the Independent Expert on the Central African Republic

Statement delivered under Item 10

<https://www.hrw.org/news/2016/03/22/un-human-rights-council-interactive-dialogue-independent-expert-central-african>

March 22, 2016 – Oral Statement

The Central African Republic reached an important milestone in February with the conclusion of largely peaceful presidential elections. While the results of legislative elections are still pending, these too were conducted in a mostly peaceful environment, giving Central Africans a new degree of confidence about their country's future.

The new government's primary task to protect civilians and end sectarian violence is immense. The situation in the capital, Bangui, remains extremely fragile and serious human rights violations continue there as well as in other locations across the country. The largely Muslim Seleka rebels and the predominately Christian anti-balaka fighters continue to attack each other and civilians, often in reprisal attacks. Earlier this month sectarian violence led to the deaths of at least 11 civilians near Bambari.

Nearly 900,000 people remain displaced, either as refugees in neighboring countries or in camps and host communities in the country. Scores continue to die in remote forest locations with little or no access to humanitarian aid. The challenges created by the violence are compounded for persons with disabilities who face added risk in fleeing to safety or in accessing basic services such as toilets, food, and medical care in displacement camps.

Displacement camps, protected under international law, have been targeted in tit-for-tat revenge killings. In December at least eight people were killed at Ngakobo camp, Ouaka province, when it was attacked by Seleka fighters from the Union for Peace in the Central African Republic (UPC).

Sexual violence against women and girls continues to be a significant component of the violence. Human Rights Watch documented 29 cases of sexual violence that occurred during violence in Bangui between September 26 and December 17. Eleven of these cases occurred in and around the M’Poko displacement camp. The survivors from M’Poko said the anti-balaka had raped them as punishment for allegedly buying and selling to Muslims. Many survivors had not accessed essential health or psychosocial services.

Impunity continues to be a principle driver of the violence. To date, no one has been held to account for serious human rights crimes. Last June the interim president signed the law establishing a Special Criminal Court, comprised of both national and international judges and prosecutors, which will investigate and prosecute grave human rights violations committed in the country since 2003. But the court is not yet a reality. The Independent Expert on CAR recently said “the Central African people must be able to see that these promises were not in vain.” We agree and would ask the Independent Expert for her evaluation of progress and difficulties encountered in the setting-up of the Special Criminal Court, and what steps the international community can take to support this new institution.

High-Profile ICC Warning to Commanders on Rape

Author: Géraldine Mattioli-Zeltner, advocacy director of the International Justice Program at Human Rights Watch

<https://www.hrw.org/news/2016/03/21/dispatches-high-profile-icc-warning-commanders-rape>

March 21, 2016 – Dispatch

Today's International Criminal Court (ICC) conviction of a former Democratic Republic of Congo vice president was both a victory for sexual violence victims and a stark warning to senior commanders who turn a blind eye while their troops rape and commit other atrocities.

Jean-Pierre Bemba was found guilty of rape, murder, and pillage not in Congo, but in neighboring Central African Republic, where he had temporarily deployed his rebel troops in late 2002 to help thwart a coup against then-President Ange-Félix Patassé. This was the first ICC case in which rape and sexual violence as a weapon of war was the most prominent charge.

Bemba was found guilty under the concept of “command responsibility,” in which both civilian and military superiors can be held criminally responsible for crimes committed by troops under their control. The judges ruled that measures taken by Bemba to stop the attacks by his troops and to discipline the troops were grossly inadequate given the scale and gravity of the crimes.

The court found that Bemba knew that his troops were committing crimes in the Central African Republic. During the trial, the prosecutor also presented evidence about atrocities committed by Bemba's forces under his watch in Congo. The prosecutor's failure to bring similar Congo-related charges against him was a critical lost opportunity for the many victims there.

While Bemba's guilty verdict is important, it is also clear that the ICC's job is far from over in both the Central African Republic and Congo.

Many senior commanders in Congo, Rwanda, and Uganda have yet to face justice in relation to atrocities by Congolese armed groups they supported in eastern Congo. Militias and Congolese soldiers continue to prey on Congolese civilians and to commit serious abuses. The ICC prosecutor, Fatou Bensouda, opened a new investigation into alleged international crimes in the Central African Republic during the country's most recent conflict, which began in 2012, but has yet to announce arrest warrants.

The ICC prosecutor should develop an overall plan to tackle the remaining cases for her office in both countries. And ICC member countries, which have insisted on a stringent ICC budget, should instead make sure the court has sufficient resources to do its job.

The Bemba verdict should spur on this effort. It is a bright moment in achieving all-too-rare accountability for commanders who permit rape and sexual violence by their troops.

Central African Republic's Biggest Challenge

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2016/03/17/dispatches-central-african-republics-biggest-challenge>

March 17, 2016 – Dispatch

On March 30, president-elect Faustin-Archange Touadera will take office in the Central African Republic. His task, to quell the brutal sectarian violence that has torn his country apart, got even harder in recent weeks. Renewed violence in and around Bambari, in the center of the country, has resulted in the deaths of at least 11 people. Without urgent action, there is most likely more to come.

The latest violence followed a familiar pattern. On February 27, a Muslim ethnic Peuhl cattle herder was found dead in Liwa, a village 10 kilometers outside Bambari. The discovery unleashed a wave of violence and reprisal attacks against Christians and others. In Gbouloulou, a village near Bambari, five armed Peuhl shot a woman in the head as she worked in her fields, in view of her 9 year-old son. He and some other children escaped, but two elderly women working nearby were hacked to death by machete. Later, two Peuhl herders were killed while moving their cattle.

On March 9, representatives of a mostly Muslim Seleka group, the Union for Peace in the Central African Republic, and the mostly Christian anti-balaka met in Bambari to denounce the violence. They claimed they wanted peace, but their words rang hollow to many who have heard them say this repeatedly over the past years without reining in their fighters. Dozens of civilians have been killed in tit-for-tat reprisals around Bambari since 2014.

Similar killings have become all too predictable in other parts of the country. At least 100 people died in brutal sectarian violence around the Muslim enclave of Kilomètre 5 in Bangui, the capital, between September 26 and November 13. Many were civilians, including women and the elderly. They were stabbed to death, their throats were slit, or they were shot at close range.

President Touadera's new government needs to break the cycles of impunity that drive the violence and make protecting civilians a priority. The outgoing transitional government cooperated with the International Criminal Court (ICC) and adopted a law to create a Special Criminal Court with national and international judges to try cases of serious human rights crimes and to hold those responsible to account. A strong endorsement and action plan to support and advance the work of both the ICC and the Special Criminal Court will demonstrate that President Touadera is also committed to ending this violence and to justice for the victims.

UN: Stop Sexual Abuse by Peacekeepers

New Report Reveals Lack of Justice, Protection for Victims

<https://www.hrw.org/news/2016/03/04/un-stop-sexual-abuse-peacekeepers>

March 4, 2016 – Press Release

(New York) – The United Nations and its member countries should do more to investigate and prosecute peacekeepers who commit sexual exploitation and abuse, and to support the survivors, Human Rights Watch said today. In his annual report on special measures for protection from sexual exploitation and abuse, issued on March 4, 2016, UN Secretary-General Ban Ki-moon pledged reforms to improve accountability for abuse by peacekeepers and increased support to survivors. The measures he announced include stricter vetting of new UN personnel and quicker investigations.

For the first time, the secretary-general formally published information on the nationalities of the peacekeepers who are alleged to have sexually abused and exploited women and girls while wearing UN blue helmets. Previously, the UN's engagement with countries whose peacekeepers were accused of abuse has always been private. The report follows an external independent report focused on abuse by peacekeepers in the Central African Republic that recommended improvements in the UN system's response to peacekeeper abuse.

“The UN's reputation for protecting civilians is at stake,” said Sarah Taylor, women's rights advocate at Human Rights Watch. “The secretary-general's report shines a bright light on peacekeeper abuses, but countries that contribute peacekeeping troops will need to follow through on prosecuting these crimes.”

The report covers allegations of abuse within the UN system under investigation in 2015, including in peacekeeping and political missions. It comes after a year of multiple allegations of sexual exploitation and abuse by UN peacekeepers. In January 2016, Human Rights Watch documented eight cases of sexual exploitation and abuse by UN peacekeepers in the Central African Republic, including rape and gang rape. The lack of a

coordinated UN response led to a failure to uphold international standards for interviewing and protecting survivors and referring them to needed services, Human Rights Watch said.

Exploitation and abuse by UN peacekeepers and personnel has been reported since the 1990s concerning peacekeeping missions in Bosnia and Herzegovina, Cambodia, the Democratic Republic of Congo, East Timor, Haiti, Liberia, Sierra Leone, and South Sudan, among others. Troops from Pakistan, Bangladesh, Sri Lanka, Uganda, Burundi, the Republic of Congo, and the Democratic Republic of Congo have been among those implicated in the abuse, although some of those cases concerned peacekeeping forces led by the African Union.

The UN has made previous commitments toward a “zero tolerance” policy on abuse by peacekeepers, including through its contracts with troop-contributing countries and commitments to conduct preliminary investigations of these crimes. However, these efforts were stymied by a lack of information about allegations and suspects, and a lack of transparency about investigations and prosecutions, which usually take place in the troop-contributing country. In many cases, there were political obstacles because the UN depends on troops from these same governments to staff its missions around the world. “The pattern of peacekeeper abuse has continued in large part because the UN peacekeeping system depends on the very troops committing the abuse,” Taylor said. “But playing politics when civilians’ security is at risk is a slap in the face to victims and shouldn’t be tolerated.”

Ensuring safety and services for abuse survivors should be at the center of UN and government response to abuses by peacekeepers and other UN personnel, Human Rights Watch said. A 2015 report from the Office of Internal Oversight Services (OIOS), the UN’s internal watchdog, in its evaluations of the UN’s response to sexual exploitation and abuse said, “Very few victims have been assisted due to lack of dedicated funding and the slow enforcement process.” Human Rights Watch found a similar response in the Central African Republic, where limited staff and resources, a dearth of medical services, and a lack of a clear, coordinated response among UN agencies meant delays in reporting and delays in support to survivors.

In the past year, the UN has taken some steps to improve its response to allegations of sexual exploitation and abuse in UN missions. They include a commitment for greater

transparency on allegations and suspects, and the establishment of a UN senior panel on peacekeeper abuse. The February 2016 appointment of Jane Holl Lute as special coordinator on improving the response to abuse crimes aims to bring greater visibility and accountability at a senior level in the UN. In the new report, the secretary-general promises to hold troop leadership to account, including by sending commanders and troops home and suspending payment to individuals and member countries if allegations are substantiated.

“The UN needs to show leadership for ending sexual exploitation and abuse throughout its system, from headquarters in New York to field missions in conflict areas,” Taylor said. “Governments should stop paying lip service to this issue and take concrete actions such as improving training for their troops and punishing those responsible for abuses.”

Human Rights Watch urges the UN to:

- Give priority to the security and well-being of survivors in its response to sexual exploitation and abuse, including through promoting best practices such as maintaining confidentiality, minimizing repeated trauma from multiple interviews, and ensuring rapid access to medical and psychosocial care.
- Follow through on previous commitments, such as regularly monitoring the status of investigations and prosecutions by troop-contributing countries, holding member countries to a six-month deadline to conclude investigations, and regularly providing public information about suspects’ countries of origin and status of investigations. UN country reports should include updates on investigations of abuse by peacekeepers and should be expanded beyond allegations of sexual abuse to cover all serious human rights violations, including unlawful killings and enforced disappearances.
- Establish a senior position in all UN field missions to ensure best practices for both investigations and survivor protection, including coordination of UN investigations, and ensuring provision of medical and psychosocial care for survivors.
- Ensure that peacekeepers receive consistent training on the UN’s “zero tolerance” policy on sexual exploitation and abuse, including clear communication about the consequences for personnel who violate this policy.

- Ensure prompt repatriation of units responsible for serious crimes after proper investigations have been conducted. Publicly and regularly demand accountability for these crimes until the perpetrators are brought to justice.
- Make clear to troop-contributing countries that their ability to provide accountability for crimes committed by their peacekeepers will be an essential criteria in deciding whether to accept more of their troops in UN peacekeeping missions.

Central African Republic: Rape by Peacekeepers

UN, Troop-Contributing Countries Should Hold Abusers Accountable

<https://www.hrw.org/news/2016/02/04/central-african-republic-rape-peacekeepers>

February 4, 2016 – Press Release

(Nairobi) – United Nations peacekeepers in the Central African Republic raped or sexually exploited at least eight women and girls between October and December 2015. Among the survivors are a 14-year-old girl and an 18-year-old woman who said peacekeepers gang-raped them near Bambari airport in the center of the country.

“In a country where armed groups routinely prey on civilians, peacekeepers should be protectors, not predators,” said Hillary Margolis, women’s rights researcher at Human Rights Watch. “Sending peacekeepers back home is not enough. The UN needs to insist that troops’ home countries bring rapist and other abusers to justice, and that survivors get the support they need.”

Human Rights Watch documented the eight cases of sexual exploitation and abuse by UN peacekeepers, known as MINUSCA, during research in Bambari between January 16 and 30, 2016. Only one of the survivors had received any medical or psychosocial care, available at the Bambari hospital and through non-governmental organizations, before speaking to Human Rights Watch.

All eight said that they believed the peacekeepers responsible were from the Republic of Congo or the Democratic Republic of Congo. A battalion of approximately 800 soldiers from the Democratic Republic of Congo is deployed to Bambari and other towns in Ouaka province. Between mid-September and mid-December, a small contingent of peacekeepers from the Republic of Congo were also temporarily deployed to protect Bambari’s airport. The deployment of Republic of Congo peacekeepers corresponds with the sexual exploitation and abuse allegations Human Rights Watch documented, most of which occurred at or near the airport.

An 18-year-old woman said that when she visited the Republic of Congo troop base near the airport in late 2015 seeking food or money, armed peacekeepers forced her into the bush and gang-raped her. “I didn’t want to have sex with them, but when I went to visit their base they took me into the bush,” she said. “There were three of them on me. They were armed. They said if I resisted they would kill me. They took me one by one.”

A 14-year-old girl said that in November, two peacekeepers attacked her as she walked by the MINUSCA base at the airport. “The men were dressed in their military uniforms and had their guns,” she said. “I walked by and suddenly one of them grabbed me by my arms and the other one ripped off my clothes. They pulled me into the tall grass and one held my arms while the other one pinned down my legs and raped me. The soldier holding my arms tried to hold my mouth, but I was still able to scream. Because of that they had to run away before the second soldier could rape me.”

In all of the sexual exploitation and abuse cases Human Rights Watch documented, the survivors were living at camps for internally displaced people in Bambari when the abuses took place. Several told Human Rights Watch they had sex with peacekeepers in exchange for food or money as ongoing conflict had left them desperate. UN policy on peacekeepers’ conduct prohibits engaging in any sexual relations with members of the local community.

Human Rights Watch reported the cases to UN officials in Bambari and Bangui within days of receiving the information. The MINUSCA leadership, which has made a commitment to actively prevent and address sexual exploitation and abuse, took immediate measures to respond to the allegations and senior UN officials opened investigations. Human Rights Watch later learned that one case had previously been reported to the UN and an investigation opened.

Under the agreement signed between the UN and countries that contribute troops to UN peacekeeping missions, the relevant troop-contributing country is responsible for carrying out judicial proceedings against soldiers who commit sexual exploitation and abuse. The UN can send troops home and prohibit them from participating in future UN missions, but has no independent capacity to prosecute them.

A 2015 report by the UN’s Office of Internal Oversight Services (OIOS) evaluating the UN’s enforcement of its sexual exploitation and abuse policy noted a lack of information from

troop-contributing countries about disciplinary proceedings carried out in troops' home countries. It also said there was a failure by the UN and troop-contributing countries to hold commanders responsible for sexual exploitation and abuse by their troops.

A subsequent independent review of sexual exploitation and abuse by international peacekeepers in the Central African Republic, released in December 2015, recommended negotiating new agreements with troop-contributing countries to ensure prosecutions, transparency, and cooperation in accountability processes.

The UN should ensure that peacekeepers are vetted prior to deployment and trained on the UN's zero tolerance policy on sexual exploitation and abuse. UN member states should also ensure that MINUSCA's Conduct and Discipline and OIOS teams, which are understaffed, receive the necessary resources to respond to sexual exploitation and abuse cases and other crimes by UN personnel.

Human Rights Watch urged MINUSCA to ensure that its response to sexual exploitation and abuse by peacekeepers prioritizes the security and well-being of survivors. That should include maintaining confidentiality to reduce risk of stigmatization, minimizing repeated trauma due to multiple interviews, and ensuring rapid access to medical and psychosocial care.

In June 2014, Human Rights Watch published information on the enforced disappearances of between 11 and 18 people by peacekeepers from the Republic of Congo in Boali and the death by torture of two others in Bossangoa. At the time, the Congolese peacekeepers were under the command of the African Union (AU) mission in the Central African Republic, known as MISCA. The troops involved were eventually withdrawn, but Human Rights Watch is not aware of any investigation or prosecution by judicial officials from the Republic of Congo into these serious crimes.

The UN and troop-contributing countries should take urgent steps to end ongoing sexual exploitation and abuse by peacekeepers in the Central African Republic and put into operation effective measures to investigate these crimes, bring those responsible to justice, and provide services and support to victims.

“Peacekeepers who rape, exploit, or kill should not simply be sent home with no commitment to justice,” said Lewis Mudge, Africa researcher at Human Rights Watch. “The UN should use its full leverage with troop-contributing countries to ensure that those who abuse victims and tarnish the UN and its mission face justice befitting their crimes.”

For detailed accounts of the abuse cases Human Rights Watch documented, please see below.

Sexual Exploitation and Abuse by Peacekeepers in Bambari

Human Rights Watch documented the following cases of sexual exploitation and abuse by UN peacekeepers in late 2015. They include two cases of gang-rape, one of them a child; four cases of rape, including two of children; and four cases of sex in exchange for food or money, one of which involved a child. Two of the rape survivors said they had also engaged in transactional sex, fitting the UN definition of sexual exploitation.

Case 1: A 14-year-old girl said that two peacekeepers attacked her in November as she was returning home from the MINUSCA base at the airport. They are presumed to be from the Republic of Congo contingent who were guarding the airport. She told Human Rights Watch:

The men were dressed in their military uniforms and had their guns. I walked by and suddenly one of them grabbed me by my arms and the other one ripped off my clothes. They pulled me into the tall grass and one held my arms while the other one pinned down my legs and raped me. The soldier holding my arms tried to hold my mouth, but I was still able to scream. Because of that they had to run away before the second soldier could rape me.

Case 2: A 30-year-old woman said that a peacekeeper raped her in Bambari in November while she was cutting wood in the bush near the airport:

I raised my head and saw a person. He was in his uniform with a gun.... He took me by force and said, ‘We are going to have sex like a man and wife.’ I was afraid and I tried to resist and he punched me in the face. I fell on the ground behind me. He took my clothes and had forced sex with me... Since

then I am afraid to go to this part of the [displacement] camp... Emotionally, I think about it a lot. We fled to come here [to the displacement camp]. We lost everything.

Case 3: An 18-year-old woman said that armed peacekeepers forced her into the bush and gang-raped her when she visited the base of Republic of Congo troops near the airport in late 2015 seeking food or money. She said: “When someone refuses [to have sex with] the soldiers, they say their chief is going to come. They sometimes come in groups and rape her.” In the months before she was raped, this woman also engaged in sex with peacekeepers based at the airport in exchange for food. She said:

Before, when we would go there, we had to have sex before they gave us things...They would ask us to go in the bush and there they would ask us to have sex with them.... It was always after sex that they gave us things.

Case 4: A 14-year-old girl said she was walking by the MINUSCA base at an old cotton factory in late December when a peacekeeper from the Democratic Republic of Congo attacked her:

I was on a path in the bush and had walked by the MINUSCA guards when a soldier jumped out at me. He was in a uniform like the other soldiers from the [Democratic Republic of the] Congo. He had his gun with him. He slapped me in the face and made me continue to walk on the path... We walked for a while, then he ripped off my clothes and used them to tie my hands behind my back. He threw me on the ground, placed his gun to the side and got on top of me to rape me. When he was done he just left. I had to put my clothes on and I went home.... There should be some justice done to this man.

Case 5: A 29-year-old woman said that a soldier from the Democratic Republic of Congo raped her in October 2015:

It was at night and I was washing myself in my hut. I heard a knock on the door and I said I was busy. But a man said, “No, open the door.... I have come to see you.” I ignored it and thought a few minutes later that he had

left. But as I finished washing he just came in. It was a MINUSCA soldier in a blue hat. I said, “What are you doing here?” and I told him to leave. But he forced himself on me and as he was stronger I had no choice.

The woman also engaged in sexual relationships with MINUSCA peacekeepers in exchange for food and money earlier in 2015. She said:

The conditions of life at the [displacement] camp were precarious. I did not know what to do so I started having sex with the international forces. For this they gave me fish, chicken, jam and bread. Sometimes they give me between 1,000 and 2,000 CFA (approximately \$1.60 to \$3.30 USD).... Before [the conflict], things were not like this.... I had to make decisions because life was so difficult so I chose to enter into these relations for survival.

Case 6: A 16-year-old girl said that a peacekeeper from the Republic of Congo who was based at the airport gave her food and money in exchange for sex from October to December. She said that soldiers instigated sexual relationships with her when she and a friend went to the base to sell alcohol: “I met him when he was on guard duty at the airport. We had sex there. After that he would come to my hut.” She said that the peacekeeper would give her food or 1,000 CFA (approximately \$1.60 USD). The girl said that when the conflict started in Bambari she had no choice but to move near the airport for her safety and that of a family member with a disability. Once there, she said she had no means to provide for herself and her relative and felt she had no option but to exchange sex for food and money.

Case 7: An 18-year-old woman said that in November she exchanged sex for food and money with soldiers presumed to be from the Republic of Congo, who were based at the airport. Her friends, who were already trading sex for basic supplies, and a family member encouraged her to approach the contingent because her family had “problems of food and money.” She said that her friends told her, “Instead of staying in your situation you should go with the Congolese so they will give you money to feed your family.” She said: “I got it in my head to go there. I already knew they were asking for sex. I said to my friends, ‘Ok, my father is dead, my mother is dead. I can’t just die.’ I followed my girlfriends, and the things they did, I did.”

Case 8: Human Rights Watch received credible information from multiple sources, including a parent of the survivor, about the rape of a 13-year-old girl in mid-November by two MINUSCA peacekeepers near the Bambari airport. The girl had sex with one peacekeeper in exchange for food. Then two other peacekeepers appeared and raped her.

UN Measures to Combat Sexual Exploitation and Abuse (SEA)

Rape, sex in exchange for money, goods or services, and sex with anyone under 18 by UN military, police, or civilians qualify as sexual exploitation and abuse, and are prohibited by the UN. The UN professes a zero tolerance policy with respect to sexual exploitation and abuse.

In 2005 the UN established a Conduct and Discipline Unit to provide oversight on such issues in peacekeeping missions. OIOS investigates, submits reports and recommends action on alleged abuses by UN peacekeepers. But there is only one temporary OIOS officer in the Central African Republic to investigate a multitude of allegations.

Countries that contribute troops to UN peacekeeping missions sign a memorandum of understanding with the UN that outlines their obligations with regard to the conduct and discipline of their peacekeepers. Sexual exploitation and abuse training is mandatory for all UN personnel upon arrival at a mission. Countries are also asked to conduct pre-deployment training on sexual exploitation and abuse based on UN guidelines.

If a peacekeeper is accused of sexual exploitation or abuse, the soldier's home country has the primary responsibility to investigate. When agreed upon, the UN and the troop-contributing country can conduct joint investigations. Failing a response from the troop-contributing country within 10 days of receiving information about an allegation, the UN can begin an investigation on its own.

If an allegation is substantiated, disciplinary measures—including prosecutions—are determined by the soldier's home country. Direct action by the UN is limited to repatriating the accused peacekeepers and barring them from any further peacekeeping missions. Troop-contributing countries are required to report back to the UN the outcome of investigations and any disciplinary measures taken or sentences imposed. If this requirement is not fulfilled, the UN is to follow up with further requests for information at

regular intervals. The UN recently announced a six-month deadline for troop-contributing countries to conclude investigations or proceed with prosecutions.

Other Sexual Exploitation, Abuse by Peacekeepers in the Central African Republic

In May 2015 a UN report from 2014 was leaked detailing sexual abuse of boys as young as 9 by French soldiers.

In August 2015, Amnesty International alleged that a MINUSCA peacekeeper raped a 12-year-old girl in Bangui.

Following repeated allegations of sexual exploitation and abuse, UN Secretary-General Ban Ki-moon demanded the resignation of Babacar Gaye, then-head of MINUSCA, and reiterated the UN's zero tolerance policy.

Later in August, MINUSCA publicized allegations that peacekeepers raped three women in Bambari, where troops from the Democratic Republic of Congo were based. All MINUSCA peacekeepers from the Democratic Republic of Congo are scheduled to be repatriated in February 2016 after they failed an internal UN assessment evaluating equipment quality, vetting procedures for soldiers and preparedness.

In early January 2016, MINUSCA announced that it was investigating newly discovered cases of sexual exploitation and abuse in the M'poko displacement camp in the capital, Bangui. The abuses, allegedly by peacekeepers, include attacks against children. On January 29, the Office of the UN High Commissioner for Human Rights confirmed that additional cases of sexual exploitation and abuse against children had been discovered. The attacks, which occurred primarily in 2014, were allegedly by French Sangaris and Georgian EUFOR forces.

At a news conference on January 29, Assistant Secretary-General Anthony Banbury stated that there were 22 confirmed sexual exploitation and abuse allegations against UN peacekeepers in Central African Republic in 2015, out of 69 confirmed cases across all UN missions. Banbury said that in 2016 the secretary-general will issue a report detailing such allegations. The report will name the countries of origin of accused troops, detail the status of investigations, and include regular updates.

Other Abuses by Republic of Congo Peacekeepers

Human Rights Watch has reported on other serious crimes by peacekeepers from the Republic of Congo when they were under the authority of the African Union force, MISCA. These include the enforced disappearance of between 11 and 18 people in Boali on March 24, 2014, and the deaths from torture of two anti-balaka prisoners in Bossangoa on December 22, 2013.

On December 22, 2014, the International Commission of Inquiry on the Central African Republic published its report detailing its own investigation into the disappearance of the people in Boali detained by the MISCA troops from the Republic of Congo and concluded that it believed the case fell within the definition of enforced disappearances. The commission also found that the two men from the anti-balaka, local militia formed to fight the mostly Muslim Seleka, detained in Bossangoa in December 2013 had died under suspicious circumstances.

On June 5, 2015, the Office of the United Nations High Commissioner for Human Rights published a report in which it found that MISCA troops from the Republic of Congo had committed acts of enforced disappearances, torture, and extrajudicial killings at Boali.

In another incident, first reported by the UN on June 10, 2015, after troops from the Republic of Congo had been transferred from the AU into the UN mission, at least one person was killed outside of Berberati in the southwestern part of the country following the excessive use of force by Republic of Congo troops. While a group of soldiers from the Republic of Congo was sent home after this event, the UN has not confirmed the progress or conclusion of national investigations into this incident.

Human Rights Watch World Report

2016: Central African Republic

<https://www.hrw.org/world-report/2016/country-chapters/central-african-republic>

January 27, 2016 – Country Chapter

A transitional government led by interim President Catherine Samba-Panza struggled to establish security in the Central African Republic. The Bangui National Forum, held in May, set the country on a path toward elections, but there was little progress on reconciliation, disarmament, and the reassertion of state control.

Although the capital, Bangui, was relatively calm for the first half of the year, renewed sectarian violence gripped the city in late September. In 2015, at least 100 people died, of which at least 45 were civilians, shot at point blank range or stabbed to death or had their throats slit. Over 400 people were injured.

Sectarian violence and attacks on civilians were widespread in central regions of the country, most notably in Ouaka province, where predominantly Muslim Seleka rebels and largely Christian and animist anti-balaka militias continued to fight each other. By the end of 2015, thousands had been killed on both sides and hundreds of villages burned. An estimated 456,000 people, the majority Muslim, remained refugees. A further 447,000 remained displaced internally.

The United Nations peacekeeping mission, MINUSCA, deployed across many parts of the country, after taking over from African Union (AU) peacekeepers in 2014. They worked alongside French peacekeepers, known as Sangaris, to attempt to protect civilians and re-establish order. Their efforts were hampered by accusations that international peacekeepers were involved in sexual abuse of civilians, including children. Special representative of the secretary-general, Babacar Gaye, who led MINUSCA, resigned over the scandal.

Impunity remained a serious challenge, although there was new hope with steps taken toward the establishment of a Special Criminal Court in the national justice system. The International Criminal Court (ICC) prosecutor continued investigations started in September 2014.

Attacks on Civilians

The Seleka (“alliance” in Sango, the country’s principal language), a predominantly Muslim rebellion made up of loosely affiliated factions, fractured into several different groups after infighting over political agendas and resources. The various factions continued to attack civilians, killing hundreds, often under the pretext of searching for and protecting themselves against the anti-balaka.

Seleka rebels also burned or otherwise destroyed villages and engaged in widespread looting. For example, in late 2014 and early 2015, Seleka fighters from the Union for Peace in the Central African Republic (*l'Union pour la Paix en Centrafrique*), a former Seleka group, killed at least 120 people and burned hundreds of homes on the road between Kouango and Bianga, in Ouaka province.

The anti-balaka, a collection of predominately Christian and animist armed fighters who harbor hatred against Muslims, fought the Seleka and targeted Muslim civilians as well as, increasingly, others who were seen as being too close to Muslims or were not supporting the anti-balaka. In central regions, the anti-balaka killed scores of civilians and burned homes. For example, in late March, anti-balaka fighters killed at least 14 ethnic Peuhl herders outside Kaga Bandoro as they were moving their cattle. Ten of the victims were children, aged between one and nine years old, and three were women. The Peuhl scattered into the bush and several others went missing and are presumed dead.

Some anti-balaka fighters also held ethnic Peuhl hostage for ransom, raped Peuhl women and girls and, in some cases, held them as sex slaves. MINUSCA helped to facilitate the rescue of over 90 Peuhl held hostages in the southwest for many months.

Refugees and Internally Displaced Persons

The situation for internally displaced persons and refugees remained difficult and few returned to their homes. After the September violence in Bangui, a further 37,000 people were displaced in the capital. Many displaced people, such as those in Ouaka and Ouham

provinces, had little or no humanitarian assistance. Human Rights Watch documented the deaths of 142 people from January to June in Ouaka province who had sought safety in the remote forests and savannah bush and later died from malnutrition and disease. This is likely only a fraction of the total.

In western parts of the country there was some improvement for 36,000 Muslims who resided in enclaves protected by international peacekeepers since the violence of 2013 and 2014. Hundreds of Muslims in Yaloké enclave who lived in dire conditions and were blocked by the transitional government and UN peacekeepers from leaving, were provided with more appropriate humanitarian aid and were finally permitted to leave for refugee camps in Cameroon or elsewhere in April. During the 16 months they had lived in Yaloké, 53 people had died from malnutrition and disease, the majority children. Muslims in other enclaves had some freedom to move around safely, though the sectarian violence in Bangui in late September was a serious setback.

Elections

In June, the transitional parliament voted to block refugees living outside the country from voting in upcoming national elections, which would have disproportionately affected the minority Muslim population, many of whom remained refugees. This decision was overturned by the transitional constitutional court in July. Registration for refugees began in September.

A constitutional referendum, scheduled to be held on October 4, was delayed due to the violence in Bangui, and was scheduled for December 13. On October 8, the president of the national electoral authority resigned saying credible elections could not be held before the end of 2015. The first round of elections was scheduled to be held on December 27. The former president, Francois Bozizé, on whom the UN imposed sanctions for his role in the 2013-2014 violence, and Patrice Edouard Ngaïssona, one of the leaders of the anti-balaka, were among the 44 candidates for president. On December 8, the transitional constitutional court ruled that Bozizé and Ngaïssona were not eligible to stand, along with 12 other candidates.

Peacekeeper Abuses

In May, revelations of sexual abuse of children by French and other international peacekeepers strained peacekeeping efforts. The revelations were based on a leaked UN

report from 2014 which detailed sexual abuse by peacekeepers, of boys as young as nine. French authorities said they dispatched a team to Bangui soon after learning about the allegations, but had been unable to conclude their investigations due to lack of information. As a result of the public pressure, French authorities ordered a new investigation.

In August, MINUSCA peacekeepers and UN civilian staff were also accused of multiple cases of sexual abuse in the country, including the alleged rape by a UN peacekeeper of a 12-year-old girl. UN Secretary-General Ban Ki-moon demanded the resignation of Babacar Gaye, then-head of MINUSCA, and reiterated the UN's zero tolerance policy. In June, he also established a panel to review the UN's response to sexual exploitation and abuse and other serious crimes committed by peacekeepers not under the UN's command in the Central African Republic. After a delay the panel was due to release its report on December 17.

In June, the UN High Commissioner for Human Rights found that AU peacekeepers from the Republic of Congo were responsible for the enforced disappearance of at least 11 people in Boali in March 2014. In December 2013, AU peacekeepers allegedly beat to death two anti-balaka fighters they had detained in Bossangoa. No action had been taken regarding these findings at time of writing.

National and International Justice Efforts

Impunity remained one of the main challenges in addressing horrific past and ongoing atrocities. In September, some 600 prisoners escaped from the main prison in Bangui with the help of government soldiers. Prison breaks also occurred in other parts of the country.

In June 2015, Samba-Panza promulgated a law creating a Special Criminal Court, a hybrid court within the national justice system that will focus on grave international crimes committed since 2003, and will include both national and international judges and prosecutors. Government authorities and the UN started preparations to secure funding, technical support, and international experts.

The ICC continued investigations into war crimes and crimes against humanity committed since 2012. The ICC's case against the Lord's Resistance Army (LRA), a Ugandan rebel movement active in several countries across the region, was given new life in January when

commander Dominic Ongwen surrendered in Obo, in the southeast of the country. The LRA had been operating in the country since 2008. Ongwen faces 67 counts of war crimes and crimes against humanity for crimes committed in Uganda. The LRA continued to threaten and abduct civilians in eastern parts of the country, though with less frequency than in past years.

The ICC trial of Jean-Pierre Bemba Gombo, a Congolese national and former vice president of the Democratic Republic of Congo accused of failing to control his militia—allegedly implicated in murder, rape, and pillage in Bangui in 2002 and 2003—rested at the end of 2014, and during 2015 the judges deliberated on the evidence. At time of writing they had not yet rendered a judgement. A second ICC trial against Bemba and three accomplices on charges of tampering with witnesses opened in September 2015.

Key International Actors

International actors paid less attention to the crisis than in previous years, although the UN Security Council renewed the mandate of MINUSCA, increased the troop ceiling, and specifically asked the mission to monitor human rights abuses against persons with disabilities. France reduced the number of peacekeepers from 2,000 to 900 troops and urged that elections be held before the end of the year. The European Union, the largest donor, provided €22 (US\$24) million in humanitarian assistance and €141.6 (US\$ 154) million in development assistance. The United States provided US\$116 million to peacekeeping and humanitarian aid.

The Republic of Congo continued to act as the chief mediator in the crisis under the auspices of the Central African Economic and Monetary Community.

People with Disabilities Remain at Risk in Bangui

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2016/01/20/dispatches-people-disabilities-remain-risk-bangui>

January 20, 2016 – Dispatch

Sylvar Blanco greeted me warmly when I met him last month in Saint Sauveur displacement camp in Bangui, capital of war-torn Central African Republic. Blanco, 20, has an intellectual disability and behind his broad smile I knew there was fear and suffering.

He and his family had fled their home when the city was gripped by deadly sectarian violence in September 2015. Blanco now lives in the open with no roof over his head. He and his elderly aunt Christine, who looks after him, cannot afford to buy a space in a tent in the camp. When it rains they dash to a nearby church.

Blanco is often sick from malaria and his swollen hernia gives him trouble, but there is no money for medicine. Food is scarce too. When Blanco is hungry he runs to his brother's house, but it too is empty. He doesn't understand the dangers of running around in a city where sectarian violence can explode at a moment's notice. He just knows that he doesn't like the camp and he wants to go home. His Aunt Christine told me that when there is gunfire, Blanco runs from left to right in confusion and fear.

So often during times of conflict and displacement, people with disabilities are left behind and struggle to flee to safety. When they do reach sites for internally displaced people, they face difficulties accessing sanitation, food, and medical assistance. Families are separated and those who looked after loved ones with disabilities may no longer be around or are forced to focus on mere survival.

When I returned a few days ago to see Blanco again, he was not there. His aunt told me she had left the camp the day before to look for food. There was no one to look after Blanco

and when she returned he had gone. Her worried face said it all. “I pray he returns unharmed,” she said softly through tears.

Yesterday, the United Nations Security Council debated how to better protect civilians during times of conflict. It is imperative that people with disabilities are not overlooked. Last year, peacekeepers in the Central African Republic were tasked with monitoring and reporting on abuses against people with disabilities, but they have yet to do so.

Security Council members should ensure that every UN peacekeeping mission is paying particular attention to the needs of people with disabilities by regularly monitoring, reporting on and preventing abuses against them.

I hope when I next return I will find Blanco safe and in a better situation. But I know that as long as his struggle remains invisible, a good outcome is far from certain.

Central African Republic Elections: Five Key Challenges

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/12/26/central-african-republic-elections-five-key-challenges>

December 26, 2015 – Commentary published in *Newsweek*

On December 13, the people of the Central African Republic (CAR) went to the polls to vote in a referendum on a new constitution. Like many others in the past three years of the war-torn country's history, the day was marred by violence. At least five people were killed and 34 wounded during clashes in the capital, Bangui, according to Reuters. Authorities were forced to extend the vote for a second day. Voters overwhelmingly backed changes to the constitution, including the imposition of a two-term limit for future presidents, but the violence did not bode well for the overdue presidential and legislative elections set for December 27. It served as a clear reminder of the challenges that lie ahead for a new government.

CAR descended into chaos in late 2012, when a coalition of mostly Muslim rebels, known as The Séléka, ousted the government of president Francois Bozizé. Their brief rule was marred by widespread violence and human-rights abuses and in mid-2013 groups of Christian and animists, known as the anti-balaka, rose up against them. Thousands were killed and hundreds of thousands fled their homes as both sides targeted each other and civilians.

With the state imploding and no president in place, the international community scrambled to set up a semblance of governance. In January 2014, a transitional government was created, headed by Bangui's former mayor, Catherine Samba-Panza. It had no functioning police, army or judicial officials and was forced to rely on international peacekeepers for security. Its key function was to pave the way for elections. Dates were set and repeatedly missed due to violence, lack of funding and messy preparations. If no single presidential candidate wins an outright majority on December 27, a runoff is scheduled for January 31.

Elections may still be interrupted. On December 14, Nourredine Adam, one of Seleka's most notorious leaders, declared an autonomous region in the northeastern part of the country, though both the transitional government and the United Nations (U.N.) quickly denounced his move.

If elections do occur and a new government is put in place, here are some of the critical challenges it will face:

Addressing the violence: A new government will inherit a deeply divided country where sectarian violence remains rife. From September to November, over 100 people were killed in the capital in brutal tit-for-tat revenge killings. The new government will have to reduce tensions and protect civilians from further attacks.

Tackling impunity: Taking power by violent means, often accompanied by abuses, has been the fastest route to power in CAR. Yet none of those who have been responsible for widespread human rights violations have ever faced prosecution. The new government will inherit a barely functioning justice system, though a new Special Criminal Court could help. The court was created by the transitional government and will have national and international judges and prosecutors to focus on grave international crimes committed since 2003. It's not yet operational, and to succeed it will require significant technical and financial support from international donors, but it could send an important warning to potential election spoilers that they could face justice if they engage in criminal activity. To ensure accountability for the most serious crimes, the new government will also need to cooperate closely with the International Criminal Court, whom the transition government requested to start a second investigation in September 2014.

Disarming rebel and militia groups: To restore government control, disarming and finding new occupations for combatants will be critical. The new government will need to rely heavily on U.N. peacekeepers and others for help on this, while at the same time restructuring the national army, the police and other security forces. The country remains under an arms embargo, imposed by the U.N. Security Council in December 2013. Any re-arming of the army would need to take into account the serious human-rights abuses some soldiers and their commanders may have committed during the violence in recent years.

The return of refugees and displaced people: An estimated 456,000 people, the majority Muslim, remain refugees outside of the country, while another 469,000 are displaced internally, including some 36,000 Muslims living in enclaves. Many of the displaced live in abysmal conditions. The new government will need to provide assistance to people still afraid to return home, while also improving security conditions so they can return safely.

Donor support: For any new government to succeed, it will need significant international financial and security support. Keeping potential donors engaged in a world where there are multiple crises will require deft diplomatic skills and evidence that progress is possible. The U.N. has agreed to maintain its sizable presence for the next year, but France has already reduced its peacekeeping force. Key donors like the European Union and the United States provide some financial assistance, but retaining and even increasing this support will be necessary for a new government that is likely to inherit a stalled economy.

What will really change the course of events in CAR is a government that acts to protect the rights of all the country's citizens. Pope Francis said it best when he was in CAR in November: "the time for hating, revenge and violence is in the past."

Central African Republic: Progress on Special Court

More Efforts Needed to Get It Operating

<https://www.hrw.org/news/2015/12/23/central-african-republic-progress-special-court>

December 23, 2015 – Press Release

(Bangui) – The Central African Republic transitional government, the United Nations, and donors should intensify their efforts to establish a Special Criminal Court, 23 Central African and international human rights groups said today.

In June 2015, the Central African Republic’s transitional government promulgated a law passed in April to establish a Special Criminal Court inside the national judicial system, consisting of national and international staff, to investigate and prosecute the gravest crimes committed in the country since 2003, including war crimes and crimes against humanity.

“Our organizations welcome the steps taken by the transitional government to put an end to impunity for atrocities committed in the Central African Republic, notably through the establishment of a Special Criminal Court,” the groups said. “These efforts must continue and be supported by international actors to ensure that the court envisioned on paper becomes a reality as quickly as possible.”

Despite a difficult security situation, the Central African authorities have taken some first steps to establish the court. The government has, among other measures, selected and made available a building to enable the first investigative and prosecutorial activities of the court. It has prepared some of the decrees required for the court to function, and developed job descriptions for recruiting the court’s future staff. The UN has continued to support this process, notably by sending a team of experts to assess the logistical and financial needs of the court, and by preparing a project plan to support the establishment of the court.

Grave human rights violations are still being committed in the Central African Republic. Nongovernmental organizations recently documented more than 100 killings, as well as the destruction of vital infrastructure and 20 cases of sexual assault in the course of sectarian violence that has shaken Bangui since the end of September. These figures most likely represent only a fraction of the grave crimes that have been committed with total impunity in the Central African Republic.

The Central African justice system is still too weak to investigate and prosecute such crimes. This is why the Special Criminal Court has a leading role to play in the fight against impunity in the Central African Republic, the groups said.

Presidential and parliamentary elections in the Central African Republic are slated for December 27, 2015, with a possible second round planned January 31, 2016, if no candidate receives a majority of the votes. Many local human rights organizations fear a new wave of violence around the elections.

“It is urgent that the Special Criminal Court be up and running to try these crimes and to clearly signal that abuses of this kind will no longer be tolerated,” the groups said.

The effective operationalization of the court will only be possible if the Central African authorities have the means and opportunity to assume full ownership over it and take increased leadership in establishing it.

In this regard, an existing steering committee could play a key role in developing a common vision of the Special Criminal Court and guiding all measures required to get the court up and running, including, but not limited to, the recruitment of personnel. The steering committee includes the transitional government, the UN, and some international partners. It should meet regularly, the groups said.

The court’s provisional budget should be quickly finalized so the search for funding can begin, the groups said. For the court to succeed it will also be essential to recruit international experts with proven experience prosecuting grave international crimes, who are willing to work closely with their national counterparts. Donors should begin to mobilize the funds and technical support essential for the court’s effective operation.

The fight against impunity for grave crimes committed in the Central African Republic, and cooperation with the International Criminal Court (ICC), must stay firmly on the agenda of the future government and of international partners who support peace and the rule of law in the country, the groups said.

The ICC is also conducting investigations in the Central African Republic but will most likely only prosecute a few suspects. The ICC is complementary to the national judicial system and the Special Criminal Court.

“It is clear that justice for the grave crimes committed in the Central African Republic is an essential building block for durable peace in the nation,” the groups said. “Financial and logistical support for the Special Criminal Court is both an indispensable investment in the future and a moral duty toward victims who have suffered so much.”

Central African Republic: Amid Conflict, Rape

UN, Government Should Protect Women, Girls

<https://www.hrw.org/news/2015/12/17/central-african-republic-amid-conflict-rape>

December 17, 2015 – Press Release

(Nairobi) – The government of the Central African Republic and United Nations peacekeepers should urgently address sexual violence against women and girls by armed militia in the capital, Bangui. Human Rights Watch documented some cases in which perpetrators used rape to punish women and girls suspected of interacting with people on the other side of the sectarian divide.

In Bangui between December 1 and December 13, 2015, Human Rights Watch documented at least 25 cases of sexual violence since September 26, when a new wave of sectarian violence gripped Bangui. The figures probably significantly underrepresent incidents of sexual violence, which are often not reported due to shame, stigma, or fear of retaliation. A UN-led interagency group reported on December 10 that it had recorded thousands of sexual violence cases throughout the country in 2015, though the numbers require further verification.

“It is clear that sexual violence is a devastating element of the ongoing sectarian violence in the capital,” said Lewis Mudge, Africa researcher at Human Rights Watch. “Transitional government authorities and UN peacekeepers should act to improve protection for woman and girls and to hold to account those responsible.”

Nine cases of sexual violence documented by Human Rights Watch occurred in and around M’poko displacement camp, including in the field to the south of the camp and in the nearby Fondo neighborhood, all largely controlled by members of the mainly Christian and animist anti-balaka militia. M’poko camp, which borders M’poko International Airport, houses 20,000 internally displaced people and is managed by a humanitarian organization under the auspices of UNHCR, the UN refugee agency.

Victims said anti-balaka raped them as punishment because the anti-balaka believed they were buying from or selling to Muslims in the Kilomètre 5 enclave, the capital's last remaining Muslim neighbourhood.

On September 27, the anti-balaka stopped a group of six women just south of the M'poko camp. One of the victims told Human Rights Watch that the anti-balaka said: "You are going to the market to sell vegetables to the Muslims so they can have the strength to come and kill us. We will now rape you so your Muslim friends will know you are already dead." The men raped all the six women over several hours, some repeatedly by multiple attackers.

In another case, a victim identified one of her attackers as a combatant she knew and had seen in the camp with Emar Nganafeï, an anti-balaka leader active in M'poko camp. The 35-year-old victim said she had been raped in early October by two anti-balaka who accused her of selling vegetables in Kilomètre 5. Before raping her, one of her attackers said, "We will rape you and then you will not dare to put a foot in Kilomètre 5." She has since repeatedly seen her attacker in M'poko camp.

Several humanitarian officials in M'poko camp told Human Rights Watch that Nganafeï operates an anti-balaka base near a hospital in an area known as Zone 3. "His group kidnaps and rapes women, sometimes they let them go, sometimes they ransom them to the families," one official said.

Nine other witnesses also told Human Rights Watch that since September 26, at least six women and girls, and possibly as many as 18, had been held hostage by anti-balaka loyal to Nganafeï. Many were released after their families paid a ransom. One woman, kidnapped on September 30 and held for 14 hours, said Nganafeï himself had told her: "There is no order, we make the law. If your family does not pay, we will kill you." Human Rights Watch has also received other credible reports that Nganafeï may be responsible for killing a number of men and women in or near M'poko camp in recent months.

M'poko camp is largely controlled by anti-balaka militia and has become increasingly violent since renewed sectarian violence began. Many aid agencies no longer go to the camp to provide assistance due to the danger. On December 9, at least 10 men, some of

them armed, stormed and looted the hospital in the camp run by Doctors Without Borders, requiring it to temporarily suspend some activities.

Officials from the UN peacekeeping mission, MINUSCA, confirmed that peacekeepers do not provide security for the M'poko camp. The acting commander of MINUSCA's Joint Taskforce in Bangui confirmed this in writing, providing no explanation. Civilian officials from MINUSCA and UNHCR told Human Rights Watch that this is in part because the mission is focusing its efforts on security for the upcoming elections, implying that the decision was to deploy finite resources to a different priority. The national public security minister told Human Rights Watch that Central African gendarmes will not enter the camp due to the danger of anti-balaka attacks.

UN peacekeepers are mandated to provide "specific protection" to women and children affected by the conflict, including to prevent sexual violence and to assist in holding those responsible to account. At least 1,860 police and military peacekeepers are based in Bangui, with at least an additional 800 in reserve. The peacekeeping mission also has several advisers dedicated to monitoring, investigating and documenting conflict-related sexual violence.

Human Rights Watch also documented at least five cases since September 26 in which women and girls were raped by armed members of Muslim self-defense groups, some conducting revenge attacks against Christian and animist neighborhoods near the enclave, following murders of Muslims.

On November 15, a 26-year-old woman was raped by six armed Muslim men whom she identified as members of the Muslim self-defense group as she approached Ramandji market, in Kilomètre 5. According to the victim, the men approached her and asked the whereabouts of her husband. When she answered that he had been killed, one of her attackers said, "Oh, she was married to an anti-balaka, we can take her." The victim then said, "Each one of the men took his turn to rape me while the others held me down. When they were finished they just pushed me to the side of the road."

Only four rape survivors interviewed had sought any medical attention or received psychosocial support from trained service providers. The hospital in M'poko camp offers comprehensive post-rape psychosocial and medical care, including to prevent unwanted

pregnancy and HIV. But some women said they were afraid that seeking medical help in the camp would lead to stigmatization; others said they did not know services were available or why it is critical to get them. Several said they still suffered the mental and physical effects of the violence.

The Central African Republic is scheduled to hold presidential and legislative elections on December 27, with a runoff round planned for January 31, 2016, if there is no clear winner. Many local human rights groups fear there may be new violence.

“Women and girls should be able to seek food or support their families without fear of sexual violence,” said Hillary Margolis, women’s rights researcher at Human Rights Watch. “The government and peacekeepers both should be doing more to protect women and girls and to make sure that rape survivors get the help they need, including post rape care.”

The Conflict

The conflict in the Central African Republic began in March 2013, when the mostly Muslim Seleka rebels ousted the government of then-President Francois Bozizé. The Seleka’s rule was marked by widespread human rights abuses. In mid-2013, mostly Christian and animist anti-balaka militias organized to fight against the Seleka and carried out large-scale reprisal attacks against Muslim civilians across many parts of the country, including in Bangui.

The M’poko displacement camp was established in December 2013, when violence swept Bangui as Seleka and anti-balaka fighters fought for control of the city. Tens of thousands of people fled to M’poko International Airport, creating an impromptu displacement camp. Since then, the camp population has fluctuated. At the peak of the fighting in 2013 and early 2014, some 100,000 displaced sought shelter there. In August 2015, it held approximately 10,000. After renewed fighting in September and October, the population increased to around 20,000.

After December 2013, when the French forces pushed the Seleka out of Bangui, the Muslim community was largely unprotected and at the mercy of the anti-balaka. Muslims were forced into enclaves, including one at Kilomètre 5, which currently has a population of about 15,000. Before the conflict, an estimated 122,000 Muslims lived in the capital.

In April, Human Rights Watch documented the repeated rape and sexual slavery of Muslim Peuhls by anti-balaka groups in the country's southwest. Human Rights Watch has also received information about sexual violence in central regions of the country, including around Mala and Kaga Bandoro, among others which require further verification.

Since September 2014, the International Criminal Court has been conducting investigations in the Central African Republic. The prosecutor, Fatou Bensouda, adopted a policy paper on sexual and gender crimes in June 2014 and pledged to make these crimes a priority in investigations by her office. In addition, a Special Criminal Court, written into law by the transitional authorities, could help address impunity for grave international crimes, including sexual violence.

Witness Accounts, M'poko Camp, by Anti-Balaka

On November 29, 2015, a 27-year-old woman left the M'poko camp to buy food in Kilomètre 5. As she approached the Fondo neighborhood, near the Muslim enclave, a small group of anti-balaka stopped her, she said, saying, "You are going to buy things from the Arabs." The men forced her, at gunpoint, into an abandoned house nearby and three of them raped her.

Around October 10, a 25-year-old woman left the M'poko camp with three other women to sell vegetables in Kilomètre 5, in the Boeing neighborhood. As they were returning, after passing the airport runway six armed anti-balaka stopped them:

The anti-balaka took our money and threw our vegetables on the ground and then one of them asked me, "Where are you going?" I lied and said, "It is for my family," but he grabbed my throat and pushed me down. He raped me and the other women were raped as well.... Since then, I have not been to the hospital. I have not gone back to Boeing because it is unsafe. At both Boeing and M'poko there is no security.

On November 10, a 19-year-old woman left the camp to look for firewood in the remains of her home in nearby Fondo neighbourhood:

A group of anti-balaka found me and asked what I was doing there. I said I was gathering wood, but one said, “No. That is a lie. You were sent by the Muslims to spy on us.” I insisted that I lived at M’poko, but he said, “No, you sleep with the Muslims and since you came here on behalf of the Muslims, we will hurt you.” I tried to run, but one grabbed me and slapped me in the face.... My hands were tied behind my head and two of them raped me. I have not been to the doctor because I do not want people to know what happened. Since this happened to me my stomach hurts. When I think about it my heart beats fast and I get headaches.

On November 28, a 45-year-old woman from M’poko was taking manioc, a vegetable, to sell in the Ramandji market, in Kilomètre 5. Three armed anti-balaka stopped her outside the camp, accusing her of taking the manioc to Muslims:

One of the anti-balaka said, “I’m going to cut open your stomach.” Then he came and took the manioc from me...and they attacked me. One took me and held me by the arms. I was raped by three men.

She said she had not sought any medical or psychosocial care.

Around December 3, a 30-year-old woman left M’poko with her 3-year-old daughter for fields beyond Boeing, where she grows manioc. On her return, after she passed the airport runway, she came across a large group of armed anti-balaka:

The anti-balaka asked for money and I said I had none. One of them came and told my daughter to return to the camp alone. He said nothing to me, he just grabbed me and took me into the tall grass and raped me. I went home and told my husband, but he said he was embarrassed by me and he abandoned me. I do not want to go to the hospital because I am ashamed. I am nervous I will see the man who raped me and he will harm me again.

Around October 1, a 52-year-old woman left M’poko camp for her destroyed home in the third arrondissement to chop firewood from a tree on her property. As she was returning, anti-balaka stopped her in Fondo:

An anti-balaka said, “You, old woman, where are you coming from?” I was carrying wood on my head and an anti-balaka came and pushed it off. I fell on to the ground and hurt my knee. They started to kick me and yelled, “Beat her! She brings food to the Muslims!” They took 90,000 CFA (US\$150) that had been given to me by the UN to rebuild my home. It was all the money I had left. They beat me and made me wait on the road. Finally they let me go and said, “If we see you again, we are going to kill you.”

In mid-October three women from the third arrondissement went to the market in Combattants neighborhood, near the airport, to buy vegetables. On their return, they attempted to take a shortcut through the M’poko camp. Anti-balaka surrounded them as soon as they entered the camp. Human Rights Watch spoke separately with all three women. One said:

The anti-balaka were yelling, “These are Christians who stay with the Muslims! Catch them!” They hit us and took us to the tent of their leader.... He pointed his pistols at us and said, “These are our sisters who married Muslims. Get them away from me before I kill them.” He said he would kill us by 5 p.m. if our families did not pay him and ordered us to be held in a small wooden shop near his base. While we were held his men yelled at us, “The only way to walk out of here is with your tendons cut or if you pay 100,000CFA (US\$167).”

The women’s families arranged to pay 30,000CFA (US\$50) and they were released. However, all three women reported that there were several other women held captive in the same kiosk, some with infants, whose fate is not known.

On November 22, a 35-year-old woman left M’poko to sell vegetables at Kilomètre 5. As she approached Fondo neighborhood, she was surprised by 12 armed anti-balaka fighters:

They took my money and threw my merchandise on the ground. They put me in a small shop near Nganafeï’s base and held me there from 9 a.m. to 9 p.m. One of them said to me, “You know it is forbidden to go and sell to the Muslims. If we want we can just kill you.” My family heard I was being held

and they came to see me, but the anti-balaka said, “No, if you do not pay, she will not leave.” They managed to collect 25,000CFA [US\$42] and in the evening I was let go.

Witness Accounts, Kilometre 5, by Muslim Self-Defense Groups

On November 20, a 29-year-old woman left M’poko to go to work in her abandoned home’s garden in the third arrondissement:

I was gathering vegetables in the garden when I heard a noise. Then there were Muslim fighters all around me. Six of them came toward me. One said, “We are not going to kill her – we are going to rape her to hurt her husband.” One man then grabbed my dress and tore it off, another one took my slip off, and another pushed me to the ground. When I fell down two came and held my arms to the ground. One man raped me, then a second, then a third raped me. Then a fourth said he was going to take his part. After, I tried to get up. I fell and hurt my foot.... I was in shock. I couldn’t get up. I crawled on my knees. I found a young man. He asked what I was doing there and he transported me on his back to M’poko.... I am worried because I don’t know if one of my attackers was sick with HIV.

On November 28, a 16-year-old girl left M’poko for Kilomètre 5 to look for personal items at her family’s home:

As I was moving in the grass, I saw four Muslims. They were armed with Kalashnikov rifles and machetes. All four were from Kilomètre 5. When they saw me one of them said, “If you do not have sex with us we will kill you.” They took me and raped me. It still hurts me in my stomach. It hurts when I lie down in bed. I just try to sleep when the pain gets too much.... I am scared to go to the hospital because people will know what happened to me.

Pope to Visit Isolated Muslims in Central African Republic

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/11/28/dispatches-pope-visit-isolated-muslims-central-african-republic>

November 28, 2015 – Dispatch

Tomorrow, Pope Francis arrives in Bangui, the violence-ridden capital of the Central African Republic. He is scheduled to visit the Muslim enclave of Kilomètre 5 and its central mosque, isolated in one of the most volatile parts of a city gripped by sectarian violence. If it happens, it will be an extraordinary moment, a demonstration that respect for rights of Christians and Muslims alike is critical to ending the violence.

I have been to Kilomètre 5 many times over the past 2 years. I have seen it change from a vibrant Muslim neighborhood of 122,000 inhabitants to an isolated and fearful community of some 15,000 after repeated attacks by militias, largely made up of Christians, called the anti-balaka. Many of the enclave's young men say they are now heavily armed, unwilling to trust anyone with their protection, and ready to take revenge on those who attack Muslims. In recent weeks, some 100 people, including women and elderly have been killed.

In 2013, during one of my visits to Kilomètre 5, I met Muhammed (not his real name). His neighborhood was overrun by Muslim Seleka rebels who had overthrown the then President Francois Bozizé and who were ruling through force and brutality, particularly against Christians and others. Muhammed did not like what he saw and was worried. Knowing I worked on human rights issues, he pulled me aside and whispered, "This will not end well for Kilomètre 5. We do not support this and we will have to face the consequences."

Muhammed was right. When the anti-balaka organized to attack the Seleka in December 2013, they turned their vengeance on all Muslims. Thousands were killed on both sides in Bangui and in other parts of the country. Hundreds of thousands of Muslims fled, many to

neighboring countries. Those who could not flee, sought shelter in enclaves, including at Kilomètre 5.

Two weeks ago I tried to visit Muhammed again, but I was turned back by an anti-balaka road block who menacingly pointed their guns at us. I called Muhammed instead. “When is this going to end?” he asked me in frustration. “People from both communities are suffering because of the acts of a few individuals.” I replied that arresting and bringing to justice those responsible for the violence would be a start. He agreed.

I hope Pope Francis will echo these sentiments and call for justice for all. There will be no lasting peace without justice and many citizens of the Central African Republic, both Christian and Muslim, are desperate for both.

Central African Republic: New Wave of Killings

Pope's Visit Key Moment to Call for Tolerance, Justice

<https://www.hrw.org/news/2015/11/26/central-african-republic-new-wave-killings>

November 26, 2015 – Press Release

(Nairobi) –At least 100 people have died in brutal sectarian violence around the Muslim enclave of Kilomètre 5 in Bangui, the capital of the Central African Republic, since September 25, 2015, Human Rights Watch said today. Pope Francis is due to visit the city on November 29 and 30.

Many of those killed were civilians, including women and the elderly. They were stabbed to death, their throats were slit, or they were shot at close range. Using satellite imagery analysis, Human Rights Watch identified at least 1,075 structures destroyed during the violence in the neighborhoods to the northeast and southwest of the enclave between September 26 and November 13. An estimated 35,000 people have been displaced.

“The Muslim enclave of Kilomètre 5 has become the fault line of the bloody sectarian violence gripping Bangui,” said Lewis Mudge, Africa researcher at Human Rights Watch. “Pope Francis’ visit to Bangui is a critical moment for a senior religious figure to condemn the violence by all sides, urge tolerance, and call for those responsible to be brought to justice.”

Pope Francis is to visit Bangui on his first trip to Africa. The pope is scheduled to visit the Koudoukou central mosque in Kilomètre 5 and an internal displacement camp. He also plans to hold a prayer vigil at the city’s cathedral and a mass at the main sports stadium.

In a letter to Pope Francis on November 16, Human Rights Watch urged the pontiff to stand with the victims of human rights abuses and call for justice and accountability for serious international crimes by all those responsible, no matter their ethnicity, religion, political affiliation, or position. Impunity for serious crimes in the Central African Republic has led to repeated cycles of violence over more than two decades.

Kilomètre 5 is the last remaining Muslim enclave in Bangui, with a population of about 15,000. Some 122,000 Muslims lived in the capital before the conflict began in March 2013, when the mostly Muslim Seleka rebels ousted the government of then-President Francois Bozizé. The Seleka's rule was marked by widespread human rights abuses. In mid-2013, the mostly Christian militia called the anti-balaka organized to fight against the Seleka and carried out large scale reprisal attacks against Muslim civilians in Bangui and western parts of the country. Hundreds of thousands of Muslim civilians fled the country or sought shelter in enclaves.

Many of the recent killings in Bangui have been by members of Muslim self-defense groups attacking Christians and others after Muslims were targeted. Anti-balaka groups also participated in the recent violence in the capital, though on a lesser scale. Outside of Bangui anti-balaka militias continue to attack Muslims and others who oppose them.

The most recent violence in Bangui started on September 25, when a 17 year-old Muslim motorcycle taxi driver, Amin Mahamat, was killed. In revenge, Muslim self-defense groups from Kilomètre 5 began to attack Christian and other neighborhoods north of the enclave. Anti-balaka groups, some assisted by soldiers from the national army, fought back and set up barricades preventing United Nations peacekeepers from accessing the areas of violence. Human Rights Watch documented the deliberate targeting of at least 31 civilians between September 26 and October 1. Seventy seven bodies were registered at morgues, possibly including fighters.

On October 26, four political representatives of the the Union for Peace in the Central African Republic (l'Union pour la Paix en Centrafrique, UPC), a former Seleka group, were ambushed in a taxi by anti-balaka in the Combatants neighborhood. Credible sources told Human Rights Watch that two of the UPC members managed to escaped, but two others—Hamat Nejad and Abouba Yussafa—were dragged away and executed.

When they heard of the ambush, Muslim fighters from Kilomètre 5 took their revenge on non-Muslims in the enclave. Three employees of Aqua Bangui who were delivering potable water to the enclave—Guy Blaise Nganoussoua, Simon-Pierre Bombele, and Jonathan Dongobe—were taken from their truck at gunpoint and executed.

On October 28, in an effort to halt the violence, the head of the Coordination of Muslim Organizations in the Central African Republic, Ali Ousman, apologized on behalf of the people of Kilomètre 5 for the killings, calling them unjust, and promised to assist in identifying those responsible.

On October 29, in the increasingly tense environment, two young Muslim men from Kilomètre 5, Bachirou Mega and a man from Boda known as Amat, were killed by presumed anti-balaka just south of the enclave in Fatima, where they had gone on a motorcycle. Their deaths unleashed another wave of violence. In revenge, members of the Muslim self-defense groups attacked Kina, Kattin, Fatima, Béa-Rex and Kpéténé neighborhoods, just to the southwest of the enclave. At least 15 people, possibly more, were killed.

A hospital director interviewed by Human Rights Watch just after the violence said, “Many bodies are now just buried where people are killed. People don’t see the point of bringing bodies to the morgues anymore. It is becoming difficult to know how many are dying.”

The victims included Gabriel Ndetongo, a 76-year-old man from Béa-Rex, who had gone out to work in his field on the morning of October 29. His body was later found on the road between Kina and Fatima neighborhoods, with his throat slit. Yvette Toutoumaka, a 45-year-old mother from Kina neighborhood was shot in the head while trying to evacuate her children from her home, witnesses told Human Rights Watch.

Marie Doloko, a 95-year-old blind woman in the Kina neighborhood, was alone in her home on October 29 when two men came in and asked for money. When she said she did not have any, they set fire to the house. “I started to feel the heat so I turned and pressed myself against a wall,” she later told Human Rights Watch. “It became difficult to breath and I thought I was going to die. Fortunately, my granddaughter came and rescued me.” Neighbors of Doloko, who were hiding, told Human Rights Watch that the two men who set fire to her house were young Muslims from Kilomètre 5.

In the days that followed, isolated killings continued around Kilomètre 5. On November 9 a Muslim, Aliou Sissoko, was abducted while on his way to the bank outside the enclave. His mutilated body was later found decapitated.

An official from the UN peacekeeping mission, MINUSCA, told Human Rights Watch that peacekeepers were conducting more patrols around Kilomètre 5 to enhance civilian protection and restore freedom of movement, among other measures. On September 30 MINUSCA officials established a joint task force, putting the military in charge of UN police in Bangui.

“People who live in and near Kilomètre 5 desperately need better protection from national gendarmes and international peacekeepers,” Mudge said. “Justice and accountability are urgently needed if the repetitive cycles of brutal killings are to end.”

Pope Francis Starts First Africa Trip

Key Moment to Stand With Rights Abuse Victims

<https://www.hrw.org/news/2015/11/24/pope-francis-starts-first-africa-trip>

November 24, 2015 – Press Release

(Nairobi) – Pope Francis is due to start his first trip to Africa on November 25, 2015, with visits to Kenya, Uganda and the Central African Republic.

Human Rights Watch wrote to Pope Francis on November 16 to highlight critical human rights concerns in the countries he will visit.

During his visit, Pope Francis should speak out strongly on matters of justice, civil and political rights, religious tolerance, and respect for sexual and gender minorities, as well as other pressing human rights concerns.

“This landmark visit is a key moment for Pope Francis to stand with all victims of human rights abuses, including those targeted because of their ethnic or religious group or their sexual orientation,” said Daniel Bekele, Africa director at Human Rights Watch. “The Pope’s messages and actions during his visit can help alleviate the suffering of millions of Africans who are often at the mercy of abusive security forces and armed groups.”

Central African Republic: New Spate of Senseless Deaths

Government, Peacekeepers Should Increase Protection

<https://www.hrw.org/news/2015/10/22/central-african-republic-new-spate-senseless-deaths>

October 22, 2015 – Press Release

(Nairobi) – Five days of sectarian violence that gripped Bangui, the capital of the Central African Republic, between September 25 and October 1, 2015, led to at least 31 targeted killings of civilians.

Based on interviews in Bangui, conducted between October 7 and 13 with witnesses, Human Rights Watch found that at least 31 civilians, possibly many more, were shot at point-blank range or stabbed to death, or their throats were slit. The vast majority of killings were by armed members of Muslim self-defense groups, although armed members of the mostly Christian and animist anti-balaka group also incited and participated in the violence, at times fighting with the Muslim groups. Some of the victims were burned in their homes or in places where they sought shelter. The victims included nine women – one of them eight-months pregnant – and four elderly men. Human Rights Watch confirmed eight other cases in which the victims were armed men.

“Civilians in Bangui urgently need protection from the brutal sectarian violence that once again has engulfed their city,” said Lewis Mudge, Africa researcher at Human Rights Watch. “The interim government and international peacekeepers should be ready to react quickly to save lives when sectarian violence breaks out.”

In addition to the killings, armed men from both communities looted and destroyed property. Using satellite imagery analysis, Human Rights Watch identified at least 250 destroyed structures from the neighborhoods near Kilomètre 5, the city’s main Muslim enclave. Two churches and a mosque were also destroyed.

Protecting civilians from further violence of this nature will require rapid responses to requests for help on existing hotlines and more active patrolling by the United Nations peacekeeping mission in flashpoint areas, where communities of different sectarian backgrounds come into contact with one another, Human Rights Watch said. Since the violence ended on October 1, Human Rights Watch has received credible reports of continued isolated killings in the neighborhoods north of Kilomètre 5.

The UN peacekeeping mission, MINUSCA, had approximately 1,120 police and 1,100 soldiers stationed in Bangui at the time, supported by 900 French peacekeepers known as Sangaris. UN officials said the peacekeepers helped to bring 200 aid agency and UN staff to safety and to secure key installations in the city, including the airport and government buildings. The peacekeepers also prevented armed men from other parts of the country from entering the capital. UN officials told Human Rights Watch that their efforts to protect civilians were hampered by barricades set up by anti-balaka, civilians on the barricades, and the general confusion.

Witnesses interviewed by Human Rights Watch said they saw no presence of the approximately 900 national gendarmes in Bangui during the violence.

On October 9, the National Transitional Government reported that at least 77 people had died, based on body counts at morgues. Officials could not distinguish who among the dead were armed attackers or civilians caught in the crossfire between the Muslim self-defense groups and the anti-balaka or whether any civilians were deliberately targeted. Another 414 people were injured, the government said.

This latest round of sectarian violence was set off by the death of a 17-year-old Muslim motorcycle taxi driver, Amin Mahamat, whose body was discovered along a main street early in the morning of September 26, with his throat slit. In revenge, Muslim self-defense groups from Kilomètre 5 began to attack Christian and other neighborhoods near the enclave. A UN police unit, part of MINUSCA, based on the outskirts of Kilomètre 5, was unable to stem the violence.

Ali Fadul, the president of the Muslim self-defense groups in Kilomètre 5, told Human Rights Watch, “After the people saw his [Mahamat’s] body they revolted.... There had been too many cases of Muslims being targeted.” Prior to the violence and chaos that have

gripped the Central African Republic since March 2013, 122,000 Muslims lived in the capital. Only an estimated 15,000 remain.

Ancien Ngandra, a 66-year-old retired civil servant, was killed in the Sara neighborhood, just north of Kilomètre 5. A witness told Human Rights Watch, “Muslims came into the house and pulled Ancien outside. He tried to say something, but the attackers said, ‘Shut your mouth, don’t speak.’ When they were in front of his house they shot him in the stomach and in the head. He was not anti-balaka or Seleka. He was just an old man.”

In nearby Yakité neighborhood, a 45-year-old woman said she left her house to hide in a neighbor’s house when she heard nearby gunshots and grenade explosions. As she ran, she saw another neighbor, Abel Yakité, and his wife trying to flee. “As they were leaving the house, four young Muslim men with rifles approached them,” she said. “They shot dead both Yakité and his wife when they were on the veranda.”

As the information about the violence spread, armed men from the largely Christian and animist anti-balaka encouraged and committed violence against international peacekeepers. The anti-balaka and their supporters quickly set up barricades across the city, sometimes encouraging women and children to join them, possibly to deter peacekeepers from trying to take down the barricades. In some instances, the anti-balaka fought with the armed Muslims. Some soldiers from the national army, known as the FACA, helped and supported the anti-balaka fighters.

The anti-balaka also encouraged attacks on foreigners whom they blamed for doing nothing to stop the violence. Text messages circulated encouraging people to stone foreigners’ vehicles. Anti-balaka fighters and others seeking to take advantage of the chaos looted nine aid agencies, most of them a few kilometers from the neighborhoods where the violence occurred.

On September 28, approximately 600 prisoners escaped from the capital’s main Ngaragba prison, a severe setback to fighting impunity in the country. Some prison guards and soldiers from the national army facilitated the escape by opening the main gate, possibly because some of the inmates were soldiers. Rwandan UN peacekeepers stationed near the prison tried to deter the escape by firing into the air, and on at least one occasion at the prisoners, injuring one, but they were unsuccessful.

Re-establishing a functioning prison that meets basic prison conditions should be an urgent priority for the UN and interim government authorities, Human Rights Watch said.

The violence in Bangui came ahead of national elections, which were to start with a referendum on October 4, but have since been delayed.

The International Criminal Court (ICC) opened a new investigation in the Central African Republic in September 2014 following a referral from the interim president, Catherine Samba-Panza. On September 30, the ICC prosecutor, Fatou Bensouda, warned that those who commit crimes within the court's jurisdiction "can be held individually accountable."

"The interim government should ensure that its gendarmes and soldiers help protect all civilians, Christian and Muslim, and don't contribute to the violence," Mudge said. "The dreadful cycle of tit-for-tat killings can only be stopped when those responsible are held to account, prison doors are kept closed, and combatants are disarmed."

The Crisis in Central African Republic

The Central African Republic has been in crisis since late 2012, when the mostly Muslim Seleka rebels opened a campaign against the government of Francois Bozizé. The Seleka took control of Bangui in March 2013. Their rule was marked by widespread human rights abuses, including the wanton killing of civilians. In mid-2013, anti-balaka militia organized to fight against the Seleka. Associating all Muslims with the Seleka, the anti-balaka carried out large scale reprisal attacks against Muslim civilians in Bangui and western parts of the country.

The Kilomètre 5 Enclave

In December 2013 French forces pushed the Seleka out of Bangui, leaving the Muslim community unprotected and at the mercy of the anti-balaka. Muslims were forced into enclaves, one in Kilomètre 5 and another north of the city at PK 12. In April 2014, after continued attacks from anti-balaka, the Muslim residents of PK 12 were evacuated to northern parts of the country, with UN support and protection from African Union peacekeepers. That left Kilomètre 5 the last remaining Muslim enclave in the capital.

The New Violence in Bangui

On September 26 the body of Amin Mahamat was discovered early in the morning in the

8tharrondissement, near the headquarters of the Central African Herders Federation, and taken to the Ali Babalo Mosque in Kilomètre 5.

A relative of Mahamat told Human Rights Watch, “Amin left the house at around 8:30 p.m. on September 25. Everything was normal, and he left with his motorcycle. We got a call the next morning saying he had been killed. When I saw his body I could see that he had been tied up. His throat had been cut.”

Muslim men quickly organized to exact revenge. Fadul, the president of the Kilomètre 5 Muslim self-defense groups, told Human Rights Watch that, “Everyone in the neighborhood is a member [of a self-defense group]. We all have guns. We are attacked here and we have no support, so we have to defend ourselves.”

Since early 2014 Human Rights Watch has documented other isolated cases in which Muslim civilians who left the enclave were targeted, threatened or killed.

The Muslim groups attacked residents of neighborhoods near their enclave, in the 3rdand 5th arrondissements, including in Sara, Fondo, Sanga Bibale, Yakité, and Bazanga neighborhoods.

A cluster of neighborhoods referred to as the “Quartier Sara bloc,” on the border of the 3rdand 5th arrondissements, suffered some of the worst violence. One woman who lived there saw David Pabe killed on September 30:

We were staying at the displacement site at Sainte Trinité, but we left on Wednesday (September 30) to go back to Sara to look after our things. We were leaving the house when a band of about 10 men came. They were dressed in normal clothes and Muslim robes. I recognized some of them.... I hid under the bed. I heard a man say, “Is that David?” He answered yes. The man said, “Give us the rifle.” But David said he did not have a rifle. The men started to beat him and I heard a shot.

Another woman from the Sara neighborhood described how her mother was killed:

I was behind the house and I looked through the window and saw my mother talking to armed Muslim men. They asked if there were men in the house and my mother said no. Then they asked for money. My mother said, “We have no money.” They shot in the air with a rifle and my mother tried to run, but they shot her in the chest. I ran to hide and later came back with relatives. When we came back we saw that they had chopped her body with machetes.

A resident of Sanga Bibale quarter said she saw Aime Yangate, a 47-year-old man, killed at his home:

When the shots started we were too scared to leave. Two men came to the house and broke open the door. They had rifles. One of them said, “Everyone has left the neighborhood and you have not, that means you are anti-balaka.” Aime said, “I am not anti-balaka.” But before he could finish, they shot him in the head.

Martine Thailla, a 40-year-old woman from Fondo, was killed in her home. Her neighbors said they had seen armed men from Kilomètre 5 enter her house. A relative who later found her body at one of the morgues said her throat had been slit.

Some people were killed trying to protect their homes from looting either by armed Muslim self-defense groups, the anti-balaka or other criminals seeking to take advantage of the chaos.

Francois Juvenal Bangassou, a popular musician known as “Bibesco” and his friend Julia Edith Bobele, were killed trying to stop looting at Bangassou’s home in Sara. Family members said that Bangassou sought safety with friends and family in Benz-vi during the day, but would return home every evening to try to protect his property.

But he was killed there on September 29. Relatives who found the bodies said that Bangassou had been stabbed to death and his friend’s throat had been slit. “We don’t

know who killed them,” a relative said. “The entire house was pillaged. They took his television, his radio, and his musical instruments.... They even took his clothes.”

Fadul told Human Rights Watch that his members had not targeted civilians or killed women. “These accounts are false,” he said. “The extremist anti-balaka do not want social reconciliation and they kill people and blame it on us.” But he later added that he might not know everything that happened and that some members of his group had “taken advantage of the situation to burn homes.”

Using satellite imagery recorded before and after the violence on September 22 and October 4 Human Rights Watch identified at least 250 destroyed residential and commercial buildings in neighborhoods near Kilomètre 5, including two churches and a mosque. The damage was consistent with fire and the looting of rooftop materials. Since fire-related damage can be limited to building interiors and hidden by overhanging trees, it is possible that many more buildings might have been damaged.

This latest round of violence in Bangui is not the first time Muslim self-defense groups based in Kilomètre 5 have killed civilians. On May 28, 2014, a group attacked a displacement camp at the Notre Dame Parish in the Fatima neighborhood, south of Kilomètre 5, killing at least 17 people, Human Rights Watch found. The attack occurred just after a heated street battle between the anti-balaka and Muslim self-defense groups. Isamel Lawan, the assistant to the mayor of Kilomètre 5 told Human Rights Watch at the time: “We can’t walk out of our neighborhood without being killed. We have been trapped here; we must defend ourselves.” The armed Muslims said they believed some of the anti-balaka had sought shelter among the displaced people at the church. The 17 deaths recorded by Human Rights Watch were all civilians.

Escape from Ngaragba Prison

On September 28 between 500 and 700 prisoners escaped from the Ngaragba Prison, the country’s main prison. Authorities did not know the exact number of prisoners since lists had not been updated. The prison held both military and civilian prisoners, including anti-balaka and Seleka fighters.

According to UN officials and an escaped prisoner Human Rights Watch interviewed, the prisoners had begun to dig holes in the prison walls on September 27, emboldened by the

sounds of violence coming from the city. On September 28 they managed to break the locks on two internal doors and faced UN Rwandan peacekeepers and national FACA soldiers. The Rwandan peacekeepers fired warning shots, and possibly fired at the prisoners, injuring one, to deter the escape. The FACA soldiers called for re-enforcements. UN officials said, though, that when additional FACA soldiers arrived, they facilitated the escape rather than helping to deter it.

An escaped prisoner, not associated with the anti-balaka or the Seleka and convicted of a crime, told Human Rights Watch:

We were so tired of the horrible conditions. We had no medicine, no food, no toilets. The prison officials eat or sell our food. So we decided to leave.... By 10 a.m. [on September 28] we had opened the second door and we were facing the MINUSCA and the FACA. They shot at us and were saying, “Go back to your cells!” The anti-balaka and the Seleka were not going to go back and the rest of us [criminals] knew that if we stayed we would be punished severely, so we decided to try to leave too. By 5 p.m. we decided that they were not going to shoot us and we just started to walk out of the main gate. There were more FACA there, some of them yelled at us, but they did not try to force us back in, so we left. The MINUSCA and the FACA just watched us go.

Interim government officials later conceded that soldiers and prison guards had helped to facilitate the escape.

After the escape at Ngaragba, approximately 50 prisoners escaped from the Boaur prison on September 29 and another 9 escaped from the Bria prison on October 8. The only functioning prison for men is currently at Camp de Roux, in Bangui, a military base that houses 12 anti-balaka leaders. The female prison in Bimbo, just outside of Bangui, is still functional.

International Response to Fighting

UN officials told Human Rights Watch they were surprised at how quickly the violence escalated. Although a UN police unit was based near Kilomètre 5, it was unable to stem the

violence when it began. During the first four days of the violence, the MINUSCA response was led by its police force of nearly 1,120 officers. By September 30, four days into the violence, UN officials decided a more robust response was needed and established a joint task force with the police led by the military. Additional troops were called from other parts of the country to re-enforce the 1,100 peacekeepers already based in Bangui.

The UN Security Council has approved 10,750 peacekeepers and 2,120 police for the Central African Republic. As of July, 9,110 peacekeepers and 1,552 police had been deployed. Additional UN troops, including special forces, are expected in the capital in the coming months.

The French Sangaris provided support to MINUSCA, including using their helicopters to target armed men and deter the violence. Their task was complicated because the armed men gathered in densely populated areas, including the Combatants neighborhood near the international airport.

A hotline, known locally as the “green line,” established by aid agencies for protection, recorded over 700 calls during the violence. Some of these calls were to report cases of human rights abuses, others to ask for help. The ability of UN police to respond was limited due to the limited capacity of the call center, cell network overload, and competing priorities for the police, MINUSCA officials told Human Rights Watch. In a number of cases, MINUSCA did not respond when civilians called for help.

The UN disarmament, demobilization and reintegration (DDR) program, a critical program to remove weapons from armed groups in Bangui and across the country, has made little progress and lacks funding. UN and government officials said that pre-DDR has started, but all concede that this has not been nearly enough or very effective. They said that 1,180 Seleka fighters are being held in three cantonment bases in Bangui, but there is no cantonment of anti-balaka or other militias in the city that have easy access to weapons. A community violence reduction (CVR) program, aimed at these militias and self-defense groups, has yet to start.

Accountability

Impunity has fueled grave atrocities in the Central African Republic and past crimes have not been prosecuted. During the national reconciliation forum in Bangui in May, all

participants underscored the importance of truth and justice for these crimes, both as a right of victims and as a precondition for lasting peace.

In 2004, the Central African Republic ratified the Rome Statute of the ICC. Since then, authorities have twice asked the ICC to investigate grave international crimes in the country. The first ICC investigation related to mass rapes and killings at the time of a 2002 coup and resulted in the trial of Jean-Pierre Bemba, a former Congolese rebel leader and later vice-president of the Democratic Republic of Congo, whose troops were called in to help defend the then-elected president and were implicated in atrocities.

In September 2014 the ICC prosecutor opened a second investigation concerning crimes during the latest crisis, since August 2012. The investigations are ongoing.

In June 2015 Samba-Panza promulgated a law creating a Special Criminal Court within the national justice system, which will focus on grave international crimes and will include both national and international judges and prosecutors. The court is mandated to investigate crimes committed since 2003 and is intended to address the lack of capacity of the national justice system to investigate these complex crimes and to complement the work of the ICC, which will probably only handle a small number of cases. The Central African authorities and the United Nations have started preparations to establish the Special Criminal Court, which will require funding, technical support, and a contingent of international experts to function effectively.

While work on the court is under way, MINUSCA should provide technical support and security to national investigators and prosecutors so that they can begin to investigate serious crimes, Human Rights Watch said.

Chaos Returns to Bangui

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/10/02/dispatches-chaos-returns-bangui>

October 2, 2015 – Dispatch

This week, the streets of Bangui, the capital of the Central African Republic, were littered with dead bodies. According to the latest reports, over 40 people have been killed since September 26, hundreds have been injured, and over 40,000 people have fled their homes to displacement sites, many at the international airport, in a desperate attempt to find safety. The offices of humanitarian organizations have been attacked and looted, hampering the urgent assistance that many need.

The violence is a stark reminder of how volatile the situation remains in this war-torn country, and it should put policy makers on high alert. They will need to re-double their efforts to ensure the country does not slide back into the abyss.

The recent violence was sparked by the killing of a Muslim, a motorcycle taxi driver. The murder was reminiscent of previous brutal killings in 2013 and 2014 that had driven over 400,000 Muslims out of the country. A few thousand Muslims who have remained in the capital in the neighborhood of Kilo 5, essentially an enclave in the city, were quick to react. They attacked Christians and others, and the violence escalated into tit-for-tat revenge killings, shattering the fragile peace that Bangui has enjoyed for the past year. United Nations peacekeepers stationed in Bangui were unable to stop the killings.

The renewed violence in Bangui, while sudden, should not come as a total surprise. For those looking at events outside the capital, in the areas to the east, it was clear the risk remains high. In and around the towns of Bambari, Bouca, Batangafo, and Kaga Bandoro, fighting between the Muslim Seleka rebels and the predominately Christian anti-balaka fighters has continued with a devastating toll on civilians.

In my recent trips to the area, I have documented the deaths of hundreds of people over the past year and the burning and destruction of thousands of homes. Tens of thousands are displaced and trying desperately to survive in the arid bush or in displacement camps with little or no access to humanitarian aid. Many are dying. In these areas, it was clear that there was no peace.

For the violence and the attacks on civilians to stop, those responsible for the grave human rights violations need to be held to account. The interim government took the bold step of establishing a Special Criminal Court in June. It urgently needs financial and technical support to become a reality. Donors and international policy makers should make this one of their first steps to avert a recurrence of the latest attacks on civilians. Without tackling the impunity that has been so common in the Central African Republic, the likelihood of more deaths is only a matter of time.

UN Human Rights Council: Interactive Dialogue with the Independent Expert on the Central African Republic

Statement delivered under Item 10

<https://www.hrw.org/news/2015/09/30/un-human-rights-council-interactive-dialogue-independent-expert-central-african>

September 30, 2015 – Oral Statement

The escalation of violence in Bangui in recent days is a stark reminder of how volatile and fragile the situation remains in the Central African Republic. The description by the UN high commissioner for human rights when he visited the country in September, that it is “gripped in fear” echoes what we have seen and heard.

Grave human rights violations continue, not just in Bangui, but also in central parts of the country away from the eyes and ears of the international community. In these remote areas, hundreds of people have died and tens of thousands displaced over the past 12 months. Both the Muslim Seleka rebels and the predominately Christian anti-balaka fighters continue to attack civilians, sometimes in tit-for-tat revenge killings and commit serious human rights abuses.

In the past 12 months, Human Rights Watch has conducted extensive investigations of human rights abuses in the central part of the country such as in Bouca, Batangafo, Kaga Bandoro and Bambari. In all these locations there is a presence of United Nations or French peacekeepers, but people in and around these towns still face regular attacks. For example, in Kouango, anti-balaka fighters killed at least 34 civilians and burned 617 homes over the past year.

Also around Kouango, Seleka fighters commanded by Ali Darras killed at least 135 civilians and burned over 2,000 homes. Many who fled their homes during or after the attacks live in the bush with little or no access to humanitarian aid. Many are dying. It is essential that civilians are better protected throughout the country and that UN peacekeepers fulfil their mandate to protect them.

Impunity continues to be a hallmark of the violence. To date, no one has been held to account for the violence. The establishment of the Special Criminal Court, signed into law by the interim president in June, is the best hope many victims have for justice. This court, which will be comprised of both national and international judges and prosecutors, will investigate and prosecute grave human rights violations committed in the country since 2003. But to become a reality, the court needs financial, technical and logistical support. It is also critical that there is donor support for this new institution.

Central African Republic Gripped With Fear

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/09/17/dispatches-central-african-republic-gripped-fear>

September 17, 2015 – Dispatch

A country “gripped with fear” is how the United Nations high commissioner for human rights, Zeid Ra’ad Al Hussein, described the Central African Republic during a September 4 visit. His words echo what I’ve heard from hundreds of victims and witnesses over the past year. Their plea is often the same: “Tell the UN to send more troops, we need help.”

This week marks one year since a UN peacekeeping mission, known as MINUSCA, took over peacekeeping responsibilities from the African Union (AU). The UN peacekeepers, like the AU ones before them and the French “Sangaris” peacekeepers with whom they work, have done a commendable job to help stem the violence, often deliberately directed at civilians, that has gripped the country since 2013.

But avoiding the worst doesn’t mean the violence is over, that abuses against civilians have ended, or that the country is stable. While violence in western parts of the country has waned, it has increased in central and eastern areas. Both the Muslim Seleka and the predominately Christian anti-balaka are targeting civilians in tit-for-tat revenge killings. Nearly a million remain displaced, afraid to return home.

Yet in recent months, the only headlines coming out of the Central African Republic have been about sexual abuse by international peacekeepers. Stopping the sexual violence and abuse and holding those responsible to account is vital. But that is only one aspect of the abuses that people in the Central African Republic endure. Armed groups torment civilians every day. Ending the abuses against civilians requires continued international engagement, which seems in short supply.

I have seen MINUSCA peacekeepers protecting civilians by putting themselves between Seleka fighters and anti-balaka militia. I have also been frustrated when the peacekeepers

didn't intervene or were slow to protect civilians. But this peacekeeping mission, imperfect as it is, remains the best chance to end the abuses and bring peace and stability to the country.

On October 1, the UN will host a high-level meeting on the Central African Republic at the UN General Assembly to gather international commitments. Donors need to step up. Deploying a peacekeeping mission was only the first step. The only way to assuage the country's fear is to end the violence against civilians, hold credible and safe elections, and bring those responsible for the grave violations of international humanitarian and human rights law to justice. There needs to be financial and technical support for the Special Criminal Court that the interim government established and to ensure that all eligible voters can vote in upcoming elections, including those in northern and eastern regions, and refugees in neighboring countries.

The work to rebuild the Central African Republic and protect its civilians is far from over.

Central Africa Republic off the Radar, but Killings Continue

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/08/27/dispatches-central-africa-republic-radar-killings-continue>

August 27, 2015 – Dispatch

The violence in the Central African Republic has fallen off the radar of the mainstream media, but that doesn't mean the brutal killings have stopped. Over the last several days, sectarian violence between Muslim Seleka fighters and the anti-balaka militia who harbor hatred toward Muslims has left at least 12 civilians dead in and around Bambari, a main town in Ouaka province in the center of the country. It's the latest example of ongoing and deadly tit-for-tat revenge killings.

This latest incident started in the same way as so many others have. A young Muslim motorcycle taxi driver was reportedly ambushed by the anti-balaka some 20 kilometers outside Bambari and killed. In revenge, according to those in Bambari I spoke to by telephone yesterday, Muslims, some of whom were reported to be Seleka fighters, targeted and killed Christians and others who they accused of supporting the anti-balaka.

During three research missions to Ouaka province this year, I have documented hundreds of similar tit-for-tat deaths. In one incident in November 2014, the anti-balaka killed 28 people in the small village of Ngbima, near Kouango, in the southern part of the country. The victims were both Muslim Peuhl cattle herders and non-Muslims whom the anti-balaka accused of not supporting them. Most were killed as they slept. The next month, Seleka fighters took revenge, killing seven people in Ngbada village, also near Kouango. Those who survived fled into the bush where another 20 – mostly children – later died from malaria and diarrhea, according to relatives who I later spoke to.

The approaching national elections planned for October 2015 are leading to infighting and splintering within both Seleka and anti-balaka armed groups, adding further complexity to

the violence. But one thing hasn't changed: it's civilians who pay the price of the deadly violence.

United Nations peacekeepers in the Central African Republic, including those in Bambari, need to do more to avert small incidents from escalating. More importantly, armed actors need to stop resorting to sectarian violence as the answer to their grievances.

Public civil society letter on the Special Criminal Court in the Central African Republic

Next steps to operationalize the Special Criminal Court in the Central African Republic

<https://www.hrw.org/news/2015/08/24/public-civil-society-letter-special-criminal-court-central-african-republic>

August 24, 2015 – Letter

To: The Foreign Affairs Ministers of the Members of the Reference Group on the Special Criminal Court in the Central African Republic (Belgium, Canada, Chad, Denmark, Finland, France, Japan, Luxemburg, Mexico, Morocco, New Zealand, Senegal, Sweden, Switzerland, the Netherlands, the United Kingdom, United States)

To the High Representative of the Common Foreign Security Policy of the European Union, Ms. Federica Mogherini

To the European Union Commissioner on Development, Mr. Neven Mimica

To the Secretary General of the International Organization of the Francophonie, Ms. Michaëlle Jean

To the Chair of the African Union, Dr. Nkosazana Clarice Dlamini-Zuma

To the Minister of Foreign Affairs of South Africa, Ms. Maite Nkoana-Mashabane

Cc :

President of the State of Transition of the Central African Republic, Ms. Catherine Samba-Panza

Minister of Justice of the Central African Republic, Mr. Aristide Sokambi

Acting Special Representative for the Central African Republic and Head of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, Mr. Parfait Onanga-Anyanga

**Head of the Department of Peacekeeping Operations, Under-Secretary-General for
Peacekeeping Operations, Mr. Hervé Ladsous
Administrator of the United Nations Development Programme, Ms. Helen Clark**

**Subject: Next steps to operationalize the Special Criminal Court in the Central African
Republic**

Your Excellencies,

We are writing to encourage you to urgently pledge financial and technical support to transitional government authorities in the Central African Republic to expedite the establishment of the Special Criminal Court.

Addressing impunity is critical to set the conditions for sustainable end to abuses in the Central African Republic and to deliver justice to the victims of grave abuses. Lawmakers in the Central African Republic recognized this when they created the Special Criminal Court earlier this year. The new court will be composed of national and international staff, will complement the work of both the International Criminal Court (ICC) and ordinary national courts, and has jurisdiction beginning in 2003.

As you will know, the interim parliament adopted the law creating the Special Criminal Court in April 2015 and in June 2015 it was promulgated by interim president Catherine Samba- Panza. In April 2015, the United Nations Security Council renewed the mandate of the UN peacekeeping force in CAR, MINUSCA, and tasked it explicitly to support the work of the Special Criminal Court.

Concrete steps should now be taken to make this court a reality.

The need to operationalize the Special Criminal Court is urgent, not only because it will address the impunity for serious crimes which has been a factor in the conflict, but also because there is a critical need to preserve evidence, including the protection of witnesses and victims, and to address the cases of suspects who are currently in provisional detention.

Financial Support

International financial and technical support to the Special Criminal Court is essential for its functioning and success. A UN team of experts was recently deployed to the Central African Republic to assess the needs of the proposed court and submitted its report early July.

We believe there is an urgent need to encourage and assist the Central African authorities, with support from the UN as needed, to produce a public provisional budget which will help steer fundraising efforts. The budget should include provisions to support investigations, victim and witness protection, and defense rights, which are likely to be key to the court's success. Experience has shown that failure to adequately support these particular areas could lead to the court being unable to effectively discharge its duties.

The budget should remain reasonable and realistic, both to ensure its short-term success as well as its long term sustainability as a national institution. We therefore encourage creative ways to finance the court, including through the secondment of personnel from other states and/or international institutions, such as the ICC, and coverage of some of the court's expenses through the MINUSCA budget.

We urge you to press for an international pledging meeting as soon as possible.

Other measures

There are a number of other steps that the Central African government, the UN and other interested states could undertake immediately to help create the Special Criminal Court. If adequately implemented, these steps could assist in adopting a reasonable and adequate budget for the court.

1) Steering committee

Strong leadership is required to ensure a quick and efficient roll-out of the measures needed to get the Special Criminal Court up and running.

It is important to assist the Central African authorities in creating and leading a steering committee to help establish a roadmap for the prompt creation of the court. The roadmap to be adopted by the Steering Committee could include: start-up tasks, such as identifying

a suitable building in Bangui, the adoption and publication of adequate job descriptions for the various posts at the court, the organization of a pledging meeting for donors and similar tasks; the actors responsible for them; and deadlines for action.

The steering committee should include the key actors involved in the establishment of the court, such as officials from relevant ministries of the Central African government, representatives of MINUSCA and other UN actors, donors and civil society representatives. A proper coordination between the relevant actors, including within the UN, will be particularly crucial. The steering committee should meet regularly to evaluate progress and adopt measures to move forward within a reasonable timeframe.

2) Recruitment of qualified personnel

Serious international crimes are often committed according to a plan or policy and are therefore more complex to investigate and prove than “classic” crimes. The recruitment of qualified, independent and motivated national and international personnel – whether they are recruited through an open process or seconded from UN member states - will be a critical factor for success.

As of now, there is a need to encourage the Central African Republic authorities in designing and adopting a recruitment process for staffing the court, with assistance from the UN. The recruitment process should be efficient, transparent and geared towards finding the best candidates.

We believe it is critical that those recruited for the court include individuals who have criminal law experience, preferably in a civil law context, and specialized expertise in the field of grave international crimes. This should include experience in the following areas: building complex cases involving command responsibility, prosecuting sexual or gender-based violence, protection of victims and witnesses and experience in handling insider witnesses.

Both national and international candidates should also be evaluated on their openness to working in an internationalized environment and their commitment to knowledge transfer.

3) Phased approach and core advance team

Article 71 of the law creating the Special Criminal Court foresees that the court can be established in phases.

As such, the rapid recruitment of national and international investigators, investigative magistrates and prosecutors should be a matter of priority. Other key staff– such as the president, the registrar and deputy registrar and a point person on victims and witnesses’ protection – should also be hired quickly. We indeed believe that hiring a core team of court officials could help the court to begin to function and will assist in driving the establishment of the Special Criminal Court more efficiently.

We recognize that there are many challenges confronting the Central African Republic, not least the organization of elections, demobilizing combatants and security sector reform, amongst others, all of which require assistance from international donors.

We urge you to keep justice and prosecution of grave human rights violations amongst the critical tasks needed to end the abuses and rebuild the Central African Republic. Justice will help re-establish the population’s confidence in the rule of law and in state institutions. An important aim of the Special Criminal Court should also be to strengthen the capacity of the ordinary justice system to handle grave international crimes. As we see around the world, respect for the rule of law and human rights are critical components of a democratic society and of durable peace.

Last month, the European Union Foreign Affairs Council recalled that “there can be no reconciliation without justice. The adoption and enactment of the law establishing the Special Criminal Court constitutes an important step in the fight against impunity.”

We hope your government and/or intergovernmental organization will provide financial and technical support to the Special Criminal Court and will push the above mentioned benchmarks for its rapid establishment. We believe this court is the best chance for justice for the thousands of victims who have suffered so much and have already waited too long. We thank you in advance for your attention to this important matter.

Yours sincerely,

Signatories:

Action des Chrétiens pour l'Abolition de la Torture et la Peine de Mort (ACAT / RCA)
Amnesty International
Association des Femmes Juristes de Centrafrique (AFJC)
Avocats sans Frontières
Avocats Sans Frontières Centrafrique (ASF / RCA)
Bureau Information des Droits de l'Homme (BIDH)
CAR National Coalition for the ICC
Civisme et Démocratie (CIDEM)
Commission Episcopale Justice et Paix (CEJP)
Enfants Sans Frontières (ESF)
Fédération Internationale des Ligues des Droits de l'Homme (FIDH)
Femme Action et Développement en Centrafrique (FADEC)
Human Rights Watch
Lead Centrafrique (Lead)
Ligue Centrafricaine des Droits de l'Homme (LCDH)
Mouvement des Droits de l'Homme et Action Humanitaire (MDDH)
Observatoire Centrafricain des Droits de l'Homme (OCDH)
Observatoire Centrafricain pour les Elections et la Démocratie (OCED)
Observatoire pour la Promotion de l'Etat de Droit (OPED)
Parliamentarians for Global Action
Réseau des ONG centrafricaines pour la Défense et la Promotion des Droits de l'Homme (RONGDH)
Réseau national de la Jeunesse pour les Droits de l'Homme (RNJDH)

Taking Justice to a New Level: The Special Criminal Court in the Central African Republic

Author: Géraldine Mattioli-Zeltner, advocacy director of the International Justice Program at Human Rights Watch

<https://www.hrw.org/news/2015/07/13/taking-justice-new-level-special-criminal-court-central-african-republic>

July 13, 2015 – Commentary published in *Jurist*

On June 3 Catherine Samba-Panza, interim president of the Central African Republic, promulgated a law creating a Special Criminal Court to investigate and prosecute grave human rights violations committed in the country since 2003. Her action crowned a speedy nine-month drafting and legislative process.

This is good news, not just for the people of the Central African Republic who have suffered so much, but also for victims around the world seeking effective solutions to curb impunity.

For the first time a sovereign government has created through national law an innovative hybrid court where national, international judges and prosecutors will work together for victims to obtain justice for the atrocities they have suffered. If implemented well, the Special Criminal Court in the Central African Republic has the potential to become a new model of justice for grave international crimes.

The interim government acknowledged early on that the national justice system, ravaged by a series of conflicts, was too weak to handle the large scale atrocities during the most recent crisis—in which thousands of civilians were brutally killed and hundreds of thousands displaced.

In May 2014, it referred the situation since 2012—when the most recent crisis began—to the International Criminal Court (ICC). The office of the ICC prosecutor, which already had opened an investigation into an earlier period of violence, opened a second investigation

in the Central African Republic in September 2014, offering real hope for a measure of justice. But it was always clear that the ICC could only be one part of the solution given its capacity to handle only a small number of cases in each given situation.

In August 2014, the interim government signed a Memorandum of Understanding with the UN peacekeeping mission that sketched out the idea of hybrid justice mechanism. With advice from a drafting committee of national and international legal experts and the input from civil society, the Justice Ministry drafted a law for a specialized court inside the national justice system to try crimes that were not likely to be selected by the ICC. On April 22, 2015, the country's interim parliament, the National Transitional Council, adopted the law by a vast majority. It tasked the new court with investigating crimes committed since 2003—the date of a coup against an elected president, Ange-Félix Patassé, which was marked by a wave of abuses against civilians—instead of 2012, as proposed by the interim government.

There have been other hybrid courts and chambers, such as the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the war crimes chamber in Bosnia and Herzegovina and Senegal's Extraordinary Chambers, created for the upcoming trial of the former Chadian president Hissène Habré.

But this is the first time that national authorities have created a hybrid court to try serious international crimes committed in their own country and to work alongside the ICC. The Special Criminal Court is a temporary court embedded within the Central African Republic's national justice system for a renewable period of five years. It has its own judicial police and prosecution office and all levels of jurisdiction up to the appeals chamber. It will apply the country's law and criminal procedure.

The law foresees that the Special Criminal Court will have a majority of Central African judges, a Central African president and chief registrar, while the chief prosecutor will be international. The law also foresees that the court can be set up in phases, allowing its investigative arm to get to work quickly, before the rest of the court is set up. If the ICC and the Special Criminal Court happen to work on the same cases, priority will go to the ICC, reversing the principle of complementarity in the ICC Statute that gives national courts precedence. The newly established Special Criminal Court also does not deprive ordinary courts of their jurisdiction over grave international crimes.

The Special Criminal Court is thus firmly situated at a unique and new level, between the ICC and ordinary courts. If it plays its role as a complement to both, it could significantly increase access to justice for the victims in the Central African Republic.

Recurrent crises in the Central African Republic over the past few decades have been marked by widespread impunity. The people of the Central African Republic and their political representatives have decided to turn the page on this practice. The thirst for justice was clear during national talks in May in the capital, Bangui, known as the Bangui Forum for National Reconciliation. Participants emphasized the need for justice and showed strong support for the ICC, the Special Criminal Court, a Truth and Reconciliation Commission and reparations for victims as complementary tools to ensure accountability.

In the face of high expectations and a complex accountability landscape, there are many challenges ahead in ensuring the Special Criminal Court fulfills its objectives. As they embark on establishing the new institution, Central African and international actors should spare no effort to ensure that it will be cost-effective, impartial, fair and credible in delivering justice for the worst crimes.

The international community will need to provide adequate financial and logistical support to the court on the basis of a realistic budget drawn up by the interim government and the UN. As foreseen in its mandate, the peacekeeping mission will play a critical role in assisting the new court with recruiting staff, supporting investigations, arrests, security for judicial staff and protection of victims and witnesses. Other UN agencies involved in supporting justice and the rule of law will also have an important role to play, and the UN should effectively coordinate and implement this crucial assistance.

The Special Criminal Court will need to be staffed with competent and motivated personnel. The Central African government and the UN should set out a clear recruitment process and identify the qualifications required. Selected national and international candidates should be experienced, independent and willing to work in a collaborative environment. International experts should not only speak French and be familiar with the civil law system, but also have demonstrated expertise in investigating and prosecuting grave international crimes and in interacting with vulnerable victims—including victims of sexual and gender violence, women and children.

The ICC and the Special Criminal Court will need to work out ways to cooperate, share information and coordinate their work so that their coexistence in one country will truly multiply opportunities for justice.

Finally, to have long term impact at the national level, the establishment of the Special Criminal Court should be an opportunity to enhance the ordinary courts' capacity to handle grave international crimes. Shared training and workshops could be organized for staff at both levels, for example regarding specialized investigation techniques and the protection of victims or defense rights.

Given the resource limitations of the ICC and lack of capacity or will of national courts, the Special Criminal Court model has the potential to strengthen the fight against impunity within the countries where the crimes happened. Other countries have considered the establishment of hybrid courts or chambers, but have not yet taken the final plunge.

The eyes of the world will be on the Central African Republic and its new hybrid court. For the victims there and others elsewhere who are waiting for justice, it cannot fail.

UN Human Rights Council: Interactive Dialogue with the Independent Expert on the Central African Republic

Statement delivered under Item 10

<https://www.hrw.org/news/2015/06/30/un-human-rights-council-interactive-dialogue-independent-expert-central-african>

June 30, 2015 – Oral Statement

Since the Seleka took control of Bangui in March 2013, Human Rights Watch has been closely following events in the Central African Republic.

Regrettably both the Seleka and the anti-balaka continue to commit serious human rights abuses. In June Human Rights Watch went to areas around Kouango and documented that hundreds of people had been killed there by both the Seleka and the anti-balaka since late 2014. We found dozens of destroyed villages and spoke with scores of individuals who are still hiding in the bush. The presence of blue helmets has been a positive one, but clearly there is more work to be done.

The anti-balaka and the Seleka feel emboldened to kill civilians for one reason: they have been able to do so without consequence. Impunity for corruption and mass atrocities is an underlying ill that plagues the Central African Republic. But justice can help make potential warlords think twice before taking up the gun.

Fortunately, in September 2014, the ICC prosecutor opened a second investigation in the Central African Republic. In June, the transitional president signed a law establishing a Special Criminal Court to investigate and prosecute serious crimes since 2003. These steps are unprecedented good news on this front.

For the first time a sovereign government has created, through a national law, a hybrid court where national and international judges and prosecutors will work together for victims to obtain justice for atrocities committed in its own country. The Special Criminal Court will work alongside the ICC. For victims of crimes committed by the Seleka or the

anti-balaka, it is the best chance at justice. Holding perpetrators to account will be a key contribution toward preventing these abuses in the future. The Special Criminal Court will need money and resources and truly experienced staff. UN support in particular will be critical for its success.

We urge the OHCHR and the Independent Expert, to coordinate closely with other UN agencies and the UN peacekeeping mission to ensure effective support by the UN to the Special criminal court. OHCHR in particular has expertise in other countries with regards to the protection of victims, witnesses and judicial staff and collection of information about crimes that can be shared with national justice systems and should build on this experience to assist the Special criminal court. The Independent Expert should encourage donors to support the Special criminal court financially and strengthen the national justice system in the Central African Republic.

From Despair to Hope in Central African Republic

Author: Lewis Mudge, researcher in the Africa Division at Human Rights Watch

<https://www.hrw.org/news/2015/06/04/dispatches-despair-hope-central-african-republic>

June 4, 2015 – Dispatch

Good news in the Central African Republic is rare. So it seemed strange to feel joy as I stood at dawn in the Muslim enclave of Yaloké watching 16 ethnic Peuhl cattle herders boarding a United Nations convoy heading for Cameroon. The Peuhl were smiling and happy. So was I. They would finally be reunited with their families and find safety.

They, and some 500 hundred other Peuhl, had been trapped for over a year on a small hill in Yaloké, a few hours drive north of the capital, Bangui. They couldn't leave on their own for fear of being attacked by the ruthless anti-balaka militia, and in any case were blocked by local authorities and international peacekeepers on instructions from the transitional government, which did not want to appear to condone ethnic cleansing.

I visited Yaloké eight times over the past year to document what was happening. Each time my heart sank as I learned of more deaths, heartbreak, and despair. The death rate was alarmingly high: 53 Peuhl, mostly children and the elderly, died from malnutrition and preventable disease. Their bodies are buried in a rudimentary cemetery on the outskirts of the enclave, just behind the toilets.

My colleagues and I repeatedly rang the alarm bell about the deplorable conditions of those trapped in Yaloké, and the violation of their rights. Eventually things began to change. In January, the UN and humanitarian agencies began to provide better food, health care, and shelter. In April, UN peacekeepers started to relocate those who wanted to leave.

In May came the most dramatic U-turn: the prime minister visited Yaloké and announced that every Peuhl had the right to go where they wanted, inside the Central African Republic or to a neighboring country.

One Peuhl grandfather, who had earlier told me he wanted to go to Cameroon or die trying, changed his mind. “Before, we were treated worse than animals, we were not allowed to leave,” he said. “But now, we are being treated as humans. I see leaders in Bangui care about us and I am ready to try to stay in my country.”

Sentiments like this, from despair to hope, will help end the violence that has torn this country apart.

Abuse of Children Latest Horrors from Central African Republic

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<https://www.hrw.org/news/2015/05/11/dispatches-abuse-children-latest-horrors-central-african-republic>

May 11, 2015 – Dispatch

Recent reports are exposing new horrors in the almost forgotten war in the Central African Republic (CAR). During the conflict that began in 2013, thousands of civilians fled the fighting so when French troops arrived in Bangui, the CAR capital, in December 2013, many took refuge near their base, believing they would be safer there.

Sadly, according to a United Nations report, some French soldiers acted as predators rather than protectors, sexually abusing children in exchange for food or money. Although the abuse apparently took place between December 2013 and June 2014, it only recently become public information when news broke that a UN official who in July leaked an unedited version of the report, containing the victims' names, to the French ambassador in Geneva, had been suspended. A UN dispute tribunal temporarily lifted that suspension while there is an internal review of the case.

Media reports about the UN investigation indicate that six boys between the ages of 9 and 13 had been abused themselves or had witnessed sexual abuse of other children in exchange for food. When the French authorities received the leaked UN report in July, they passed it to a French investigative judge, who dispatched gendarmes to Bangui on August 1 to investigate the allegations. The French kept the allegations confidential at the time, and they have not yet revealed whether any alleged perpetrator was arrested. There are now allegations that peacekeepers from other countries have committed similar crimes and these too need to be investigated.

It is vital to shine a light on abuse, particularly when it involves vulnerable victims like children, and ensure that credible investigations are conducted to identify perpetrators and hold them to account. It's equally important that steps are taken to prevent any repeat of the abuse to others or further harm to the victims.

In conducting the investigations, investigators experienced in cases of sexual violence should be involved, who place an emphasis on protecting the rights of victims and not exposing them to additional harm or retaliation from perpetrators, family members or their community. Sexual violence is highly stigmatized and children who are identified as victims risk being abandoned by their families and communities.

As the media continues to report the story – as they should – journalists also need to make sure that they are not re-victimizing victims by subjecting them to the trauma of recounting their abuse over and over, or by providing information that allows them to be identified. It is important to shine a light on these terrible crimes, but it must not be done at the expense of the victims.

Central African Republic: People with Disabilities Left Behind

Aid Agencies Should Include Them in Planning; Meet Basic Needs

<https://www.hrw.org/news/2015/04/28/central-african-republic-people-disabilities-left-behind>

April 28, 2015 – Press Release

(Nairobi) – People with disabilities in the Central African Republic were often left behind and struggled to flee to safety when their communities came under the brutal attacks by armed groups beginning in 2013, Human Rights Watch said today. When they did reach sites for internally displaced people, they faced difficulties accessing sanitation, food, and medical assistance. Human Rights Watch released a new video in which people with disabilities described their struggles during the conflict.

The United Nations Security Council is expected to renew the UN peacekeeping mission in the Central African Republic on April 28, 2015. The mandate is expected to include for the first time a specific requirement to pay particular attention to the needs of people with disabilities, and to report and prevent abuses against them.

“One of the untold stories of the recent conflict in the Central African Republic is the isolation, abandonment, and neglect of people with disabilities,” said Kriti Sharma, disability rights researcher at Human Rights Watch. “The Security Council’s action will help ensure greater visibility to the needs of people with disabilities.”

Human Rights Watch briefed a number of Security Council members, UN agencies, and humanitarian organizations on our findings. One senior UN official familiar with the emergency response in Central African Republic told Human Rights Watch: “We don’t pay enough attention to the issue of disability. We should be doing more. There is no place for discrimination in humanitarian action.”

The Central African Republic has been in acute crisis since early 2013, when the mostly Muslim Seleka rebels seized power in a campaign characterized by widespread killing of civilians, burning and looting of homes, and other serious crimes. In mid-2013, groups calling themselves the anti-balaka organized to fight against the Seleka. The anti-balaka carried out large-scale reprisal attacks against Muslim civilians in Bangui, the capital, and western parts of the country. Thousands were killed and hundreds of thousands forcibly displaced during the conflict, including people with disabilities.

“During the war, people with disabilities lost everything; their wheelchairs, their homes, their livelihoods,” Simplicie Lenguy, president of the group representing people with disabilities in the M’Poko camp for internally displaced people in Bangui, told Human Rights Watch. “Going back to our neighborhoods is going to be impossible without significant support from humanitarian organizations.”

“People with disabilities will need support to rebuild homes, get food and medical care, and create income-generating activities,” he said. People in the M’Poko camp were expected to begin leaving voluntarily as early as April 24. Aid and support services for people with disabilities will be especially important as the transitional government begins to close down displacement camps and help people to return home.

From January 13 to 20 and from April 2 to 14, Human Rights Watch interviewed 49 people in Bangui, Boyali, Yaloké, Bossemtélé, and Kaga Bandoro, including 30 with physical, sensory, psychosocial, or developmental disabilities; their families; government officials; diplomats; and representatives of aid agencies and local disabled persons organizations.

Human Rights Watch found that at least 96 people with disabilities had been abandoned or were unable to escape and that 11 were killed in Bangui, Boyali, Yaloké, and Bossemtélé. The figure is probably a fraction of the total. Most spent days or weeks, and in a few cases up to a month, in deserted neighborhoods or villages with little food or water. People with physical or sensory disabilities interviewed, especially those who were abandoned, were often unable to negotiate the unfamiliar and uneven terrain without assistance.

Hamamatou, a 13-year-old girl from the town of Guen in southwestern Central African Republic who had polio, told Human Rights Watch that her brother carried her on his back

when their village was attacked until he got too tired to continue. “I told him, ‘Souleymane, put me down and save yourself,’” she said. “He said he would come back for me if they didn’t kill him.” He never came back.

When anti-balaka fighters found her two weeks later, Hamamatou described what happened: “The fighters said, ‘We have found an animal. Let’s finish it off.’” Another anti-balaka soldier intervened to save her life.

Father Bernard Kinvi, director of the Bossemptélé Catholic hospital, 300 kilometers northwest of Bangui, said that he and his fellow priests spent days looking for survivors following a massacre of some 80 people by the anti-balaka militia in January 2014, and that 17 out of the 50 people left behind in Bossemptélé were people with disabilities. Among them was an elderly blind woman who was left for dead and who spent five days lying in the riverbed among several corpses; a young boy with polio he found hiding five days after the massacre; and an elderly man who had lost his feet and hands to leprosy found abandoned in his home several days after the massacre.

The gravity of the crisis in the Central African Republic, coupled with the alarming number of humanitarian emergencies globally, has resulted in an overwhelming burden on aid agencies. Although the United Nations has categorized the situation in the Central African Republic as one of the gravest by its standards, the country has not received adequate humanitarian funding. According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), since the beginning of 2015, the Central African Republic has received about US\$126 million, less than 20 percent of the \$613 million its strategic response plan calls for.

With limited aid available, aid agencies were often unable to address the specific challenges faced by people with disabilities. Of the eight UN and nongovernmental aid agencies Human Rights Watch interviewed, none were systematically collecting data on people with disabilities, and their needs were not fully included in the agencies’ programming.

The United Nations, nongovernmental aid agencies, and the transitional government should take into account the needs of people with disabilities in their response to the crisis and include people with disabilities themselves in their planning and decision-

making processes, Human Rights Watch said. For this critical work to take place, it is essential for donors to invest in disability-inclusive humanitarian efforts.

Humanitarian agencies and the transitional government should begin to systematically collect data on people with disabilities to include them in policy decisions and assistance programs. People with disabilities should be included in the Bangui Forum, a national dialogue slated to take place from May 4-10. The government should also take steps to ensure that people with disabilities can fully participate in elections scheduled for August.

“People with disabilities are too often overlooked by aid groups and peacekeeping missions seeking to help the victims of conflict,” Sharma said. “The UN and aid agencies should train their staff to make sure people with disabilities have equal access to all services in the camps and in their communities as they return home.”

Fleeing Violence

At the height of the conflict in early 2014, people with disabilities were neglected in the large- scale evacuation of tens of thousands of Muslims from the capital, Bangui, and towns and villages across western parts of the Central African Republic. The commercial trucks used to transport people to camps for internally displaced people or refugee camps in neighboring countries were high off the ground, making them extremely difficult to access for people with physical disabilities unless they had assistance. In the chaotic and desperate flight, there was often little or no help to board the trucks.

When more than 1,500 Muslim survivors fled the city of Bossemptélé in March and April 2014 in commercial trucks, Human Rights Watch found that at least 17 people with disabilities, mostly children who had survived polio, were left behind.

Those who managed to board were often unable to take their wheelchairs or other mobility devices since there was limited room in the vehicles and boarding was chaotic, with some only having minutes to climb on or risk being left behind.

A number of people with disabilities decided to stay behind rather than lose their wheelchairs. “How will people with disabilities move around without their tricycles once they reach the camps?” one disability rights advocate said. “They preferred to die with dignity and pride at home.”

Dieudonné Aghou, vice-president of the National Organization of the Association of Persons with Disabilities (Organisation Nationale des Associations des Personnes Handicapées, ONAPHA) told Human Rights Watch: “The Seleka would attack very suddenly, driving up at high speed in their 4x4 trucks, whoever couldn’t flee quickly was attacked. Even in the second phase, during the anti-balaka reprisal attacks, families fled leaving behind relatives with disabilities. In the list of victims, there are many people with disabilities, yet no credible organization is working on our needs in [this] conflict.”

Obstacles in fleeing

A key challenge in escaping was the absence of assistive devices such as wheelchairs, tricycles, or crutches, which were lost in the chaos, left behind, or looted. One man with a physical disability living in Bangui told Human Rights Watch: “People broke down the door, looted my home and took my wheelchair. If I could walk, I could have defended myself.” Another challenge was inaccessible terrain, especially in rural areas where the only safe place to hide was in the bush.

In Kaga Bandoro, Henry Gustave – a polio survivor who cannot walk – told Human Rights Watch how he fled after the Seleka and anti-balaka started fighting in town in 2014: “I used my tricycle to move fast and hide in the bush. With my family we fled into the bush and stayed there for two months.” However, they had to move after they were attacked again by ethnic Peuhl herders who sometimes ally themselves with the Seleka. “When we were attacked, I wanted to take the tricycle, but it was too heavy and cumbersome to move in the bush, so we had to abandon it. Since then my uncle went back to get it but only the frame is salvageable, the rest of it is destroyed.”

Many people with physical or sensory disabilities found the prospect of the journey too daunting so they decided to stay back. Jean-Richard, a man with a physical disability, told Human Rights Watch: “In my state I couldn’t leave [without assistance]. Everyone left but I stayed back and locked myself in the house. I stayed there for a week without any food.”

Some people with disabilities chose to stay in their homes, believing that because of their disability, attackers would spare their lives. But in some cases people with disabilities who were unable to flee were killed by the attackers. A blind man and another man with a physical disability were among 11 people killed in the November 2013 Seleka attack in Ouham-Bac in northwestern Central African Republic. Relatives who later found the blind

man's body told Human Rights Watch that it appeared he had been dragged from his hiding place and executed.

Abandonment

Families of people with disabilities are faced with a difficult choice during a conflict, Human Rights Watch found – often a split-second decision, either to flee and save themselves or to risk being killed to save a relative with a disability. As a result, people with physical or sensory disabilities were often left behind.

Human rights defenders and disability rights advocates told Human Rights Watch that, based on information they were able to collect in their own districts, they found 57 people with disabilities abandoned in homes in Bangui. The totals are probably higher.

Ambroise, a 27-year-old man with a physical disability from Bangui, described what happened on December 9 when the Seleka entered his neighborhood: “The Seleka came and started killing people. I was fast asleep when I heard gunshots and woke up to find myself alone at home. My parents had fled without me. I started shouting and crawled to the entrance of my house but when I looked outside, there was no one. I stayed alone for a day until a young boy passed by. I started crying when I saw him and begged him; ‘Please help me! If you leave me, I will die.’ The young boy feared for me and agreed to carry me on his back till the airport [the camp for displaced people].”

Lack of information or awareness

Since the attacks occurred without warning, people who are deaf or have a psychosocial or intellectual disabilities simply did not hear, know about, or understand what was happening. Human Rights Watch documented the case of a tailor in Bangui with a mental health condition who was shot and killed by the Seleka because he continued to work at his shop in the market while everyone else fled. One of his acquaintances said: “He just didn’t understand.”

The situation of people with psychosocial or intellectual disabilities has been particularly ignored, since even domestic disability rights organizations focus almost exclusively on people with physical disabilities and frequently don’t include people with psychosocial or intellectual disabilities in their work.

Life in Camps for Displaced People

Life in Bangui's M'Poko camp for internally displaced people, adjacent to the airport, and in Muslim enclaves, such as the one in Yaloké, is difficult for all, but people with disabilities face additional challenges in meeting their basic needs such as food, sanitation, and health care. Similar problems are likely to be found in camps across the country as the number of internally displaced people soars in the central part of the country.

Local authorities and humanitarian agencies are not systematically collecting data on people with disabilities in either of the sites identified above. Local groups for people with disabilities have indentified 123 people with physical and sensory disabilities in the M'Poko camp. Given that there are 18,300 people in the camp, as of early April, and no data on people with psychosocial or intellectual disabilities, it is likely that this figure seriously underestimates the problem.

For people with physical or sensory disabilities, displacement camps can be hard to navigate. People with disabilities interviewed said that they were unable to make their way to food distribution sites as the location was not accessible or by the time they made their way to the site with assistance, the distribution was already over. Food distributions in M'Poko camp ended in the first half of 2014.

Following the government's decision to return people from M'Poko camp in Bangui to their homes, aid organizations will facilitate their return with food rations for two months, and four months for the most vulnerable. They will also provide them with about 90,000 CFA (about US\$150, which is the equivalent of rent for six months), plastic tarp, a hygiene kit for women, and three mosquito nets.

Once they are back in their neighborhoods, aid organizations will work with local authorities to ensure that families have access to services such as medical care and schools. It will be essential to fully include people with disabilities in these efforts.

Sanitation and health

The environment in the M'Poko camp in Bangui, as in other displacement sites, is inaccessible, with uneven surfaces and open sewage drains that make it difficult for people who use wheelchairs or who are blind to move around without assistance.

Accessing basic necessities such as latrines can be difficult as some are not fully accessible and often people with physical disabilities have to crawl on the ground to enter, exposing them to potential health risks. Jean, a man with a physical disability living in M’Poko camp, said: “My tricycle doesn’t fit inside the toilet so I have to get down on all fours and crawl. Initially I had gloves for my hands so I didn’t get any [feces] on them but now I have to use leaves.”

For people who are blind, moving around the camp without assistance can be extremely dangerous, as they can fall into filthy open sewage drains or burn themselves on open fires. Human Rights Watch heard of several cases in which blind people in the M’Poko camp had been burned by open fires or boiling water. Aimé, a blind resident of M’Poko camp and a popular musician, told Human Rights Watch, “Sometimes I become so angry and discouraged by the difficulties of living here that I just stay inside the whole day.”

Without mobility aids, many people with disabilities are forced to crawl on the ground to move around, and as a result, they are at great risk of life-threatening infections, such as respiratory problems related to inhaling excessive amounts of dust.

People with disabilities also face increased barriers in accessing basic medical care even when it is provided in the camp. This not only concerns people with physical disabilities who may be unable to go to the clinic but also extends to people with sensory disabilities.

The M’Poko camp medical clinic has no one to facilitate communication with deaf people. As a result, deaf people who cannot read or write and are not accompanied by a relative or friend who can assist with communication may hesitate to seek medical help or find it difficult to communicate if they do.

Gilbert Nguerepayo, a sign language interpreter who used to live in the Don Bosco camp in Bangui, told Human Rights Watch: “Humanitarian organizations do not pay enough attention to deaf people. Medical care is a real problem. There is no one to support them and they face difficulties in communicating.” At the request of deaf people, Nguerepayo often facilitated communication between them and doctors in his camp but deaf people in M’Poko had no such support, as there are no sign language interpreters in the camp. He is called in by the local disabled persons’ organization in M’Poko to provide sign language interpretation for events but not for individual cases. Nguerepayo is one of the few sign language interpreters in the entire country, and is largely self-taught.

In the Muslim enclave in Yaloké, access to medical care and nutrition has been poor, particularly for people with disabilities. Mamadou, a 14-year-old polio survivor, fled his home on the back of a donkey. Mamadou's father told Human Rights Watch: "We had a donkey to carry Mamadou but it died on the way. We had to negotiate to buy another donkey but when we came across the anti-balaka, they stole the donkey from us. We didn't know what to do so my wife and I would take turns carrying him. Mamadou was crying like it was never going to end."

Due to the uneven and bumpy terrain, Mamadou fell a few times during the journey and sustained injuries that went untreated and prevent him from even supporting himself with a cane. "Before [the war] Mamadou was better; now he can't even walk," his father said. Once he reached the Yaloké enclave, his health deteriorated because, according to his family, he had to crawl on the ground and had little to eat. Although his family took him to the nearby clinic, only mild painkillers were available.

When Human Rights Watch interviewed Mamadou in January, he weighed less than 8 kilograms and according to the doctor at the Bossempatéle Catholic mission was suffering from an acute pulmonary infection due to the dust he inhaled crawling on the ground. The dire living conditions and lack of access to medical care has led to 53 people among the displaced community in the camp, including children and adults with disabilities, dying from malnutrition, respiratory illnesses, and other diseases.

According to the two leading medical assistance organizations, due to the scarcity of trained professionals, mental health care and support services for people with psychosocial disabilities are limited. In the areas that Human Rights Watch researched, there are no community-based mental health services available and only one hospital in Bangui provides a few psychiatric medications. Even prior to the conflict, there was an acute shortage of mental health services with only a handful of professionals and few services available; however the need for mental health care has increased. The conflict has traumatized a significant part of the population, leading to a likely increase in mental health conditions including post-traumatic stress disorder and depression.

In one case, a 17-year-old-boy with an intellectual and physical disability, Suleiman, was fleeing when he saw his uncle being brutally killed. Suleiman appeared to be traumatized by what he saw but has never received any counseling or psychosocial support. He told

Human Rights Watch: “My uncle’s death in front of my eyes continues to scare me...When I sleep, I have nightmares that bring back the images of the events I lived. I haven’t spoken to anyone about it.” While one medical nongovernmental group is considering providing mental health support for victims of gender-based violence, these services would not help others with mental health problems.

Access to food

In displacement sites of M’Poko, Yaloké, and Kaga Bandoro, people with disabilities, especially those without families, are often unable to obtain food during distributions as they typically find out too late or are unable to go because the location is inaccessible. People with disabilities living in the M’Poko camp organized a system of food distribution among themselves where a few camp leaders would collect food during distributions and then hand it out to all people with disabilities who were unable to access the distribution site. However, the transitional government’s decision to end food distributions has proved extremely difficult for people with disabilities, especially those with no family support, and contributes to malnutrition.

Rodrigue, a young man with a physical disability who lives alone in M’Poko, has to pay someone every day to take him in a cart outside the camp, where he sits all day in the sun to beg for money for food. Once back in the camp, he is dependent on the availability and good will of his neighbors to cook food for him and bring him water.

Once the M’Poko camp shuts down and people return home, people with disabilities like Rodrigue, are likely to continue to have difficulty in getting food and meeting other basic needs. After the food provided by aid groups to returning families runs out, families will have to supply their own food. For people with disabilities, especially those who were abandoned by their families, this may prove particularly difficult.

For some people with disabilities living in Yaloké and Kaga Bandoro, even being able to benefit from food distributions is difficult. Noel’s right hand was amputated in 2014 after he was shot by Seleka fighters outside of Kaga Bandoro. “There is not enough to eat and when we are receiving assistance I don’t have the strength to – and can’t carry – my goods,” he said.

Access to education

Human Rights Watch found that very few children with disabilities are enrolled in schools in camps like M’Poko. The school in the M’Poko camp has over 3,797 children enrolled; of whom only 14 have disabilities. While the school is wheelchair-accessible, the route to the school is not. Children with physical disabilities cannot attend unless a family member takes them there and picks them up, and they have an assistive device. Without an assistive device, such as a wheelchair, children with physical disabilities can find it hard to sit all day on the floor.

The school’s staff told Human Rights Watch that some parents are hesitant to send their children with physical disabilities to the school as they fear that in case of an attack the children will not be able to flee. Children with sensory or intellectual disabilities are unable to attend the school because the school does not have teachers trained in inclusive methods.

“None of our staff is trained to teach children who are blind, deaf, or have other disabilities,” said a staff member working at the school. “So it serves no purpose to let children with disabilities come to this school.” The school staff has encouraged parents to enroll their children, but has not actively sought to enroll children with disabilities.

Left Behind to Die – Andet’s story

Author: Birgit Schwarz, senior press officer at Human Rights Watch

<https://www.hrw.org/news/2015/04/27/witness-left-behind-die-andets-story>

April 27, 2015 – Witness Piece

It was about two o’clock in the afternoon, on a warm December day in 2013, when the sound of gunshots and frantic shouting abruptly woke Ambroise Andet from his midday nap. Startled, the 27-year-old propped himself up where he had been sleeping and looked around for his wheelchair. It wasn’t there.

Andet, who has been paralyzed from the waist down since the age of 14, began to panic.

Earlier that year, an alliance of mostly Muslim rebels called the Seleka had started to fight its way from the northern part of the Central African Republic toward Andet’s hometown, Bangui, the capital, in the southeast. Widespread killings of civilians, looting and burning of whole villages had marked the Seleka’s campaign to seize power and gain control over the country.

In response, groups calling themselves the anti-balaka had organized against the Seleka, and, in particular, through 2014 committed large-scale reprisal attacks against the country’s Muslim population. The bloody conflict has forced hundreds of thousands of people to flee the country. People with disabilities like Andet were particularly vulnerable during these attacks by both Seleka and anti-balaka.

By early December, word had spread that a Seleka unit had begun to raid quarters in Andet’s neighborhood in the 5th district of Bangui. The attacks were usually sudden and lethal. Driving up in their 4x4 trucks, the Seleka would attack and often kill everybody who couldn’t flee. Nobody was spared, not even people like Andet who were unable to escape because of their disabilities. On December 9, the rebels finally reached the neighborhood where Andet lived with his parents and siblings. “It all happened really suddenly,” he recalled. “We never thought it possible that the Seleka would reach our home.”

When the attack came that day, Andet was abandoned by his family and community. He ultimately made it to the M’Poko refugee camp. But life in the camps for Andet and others with disabilities is especially difficult. Accessing basic necessities like food, toilets and medical care inside the camp is a challenge, as Human Rights Watch research shows.

Andet’s is one of many untold stories of the conflict that began in early 2013 and that resulted in the killing of thousands of civilians and the displacement of large parts of the population. Left behind were those who would have needed assistance to flee. In two Bangui neighborhoods alone, at least 57 people with disabilities were found to have shared Andet’s fate of abandonment, isolation and neglect. The actual number is probably much higher.

Realizing he had been left trapped and without means to flee, Andet screamed for help, he told the Human Rights Watch researcher Kriti Sharma. His screams went unheeded. With enormous effort, he crawled on the floor, hauled himself to the door of his parents’ house and looked out. The usually bustling street seemed eerie and deserted. Hastily packed suitcases stood forlorn on the neighbors’ verandas. Apart from roosters and dogs, not a soul was around. The entire neighborhood had fled, and so had his parents. His wheelchair was gone, too. He never found out what happened to it.

“I started to shout, thinking I was dreaming,” Andet told Sharma. “I shouted and shouted, but there was no one. No one came to help.”

Andet spoke about his ordeal without visible emotion. He is a tall, confident young man, who speaks French and never lost his composure while recalling the events that followed the fateful day of his abandonment. A year after the attack, he shared his story eagerly and without bitterness. Leaning forward in the slightly battered wheelchair a good Samaritan bought for him, he held his listeners’ gaze. Only when recalling moments of severe anguish did his darting eyes reveal some of the distress he must have felt at the realization that the very people who gave him life left him behind to die.

Andet owes his survival to a youngster half his size. Desperate, yet unable to move, he had collapsed on his parents’ doorstep and remained there for the rest of the day and the entire night, oscillating between despair and fear. As the sun rose again, he spotted “the kid.” He knew the kid was his one and only chance. Yet the young boy was as scared of

him as Andet was of being left to die. “Please kid, help me! If you leave me ... I will die,” Andet told him. He had to put all his energy into his tearful passionate pleading, before the youngster caved in, picked Andet up and heaved him on his back.

It was a strenuous 2-to-3 kilometer walk to the camp, which was near the airport. Seleka were still roaming around; shots rang out, not far away. They had to hide along the way and stop many times, exhausted and terrified. “We were breathless when we arrived,” Andet remembered. “Without any cart or wheelchair” a young stranger had accomplished what his next of kin had failed to do: “Thanks to that kid,” he said. “I stayed alive.”

Yet for people with disabilities like him, life is hard to navigate at M’Poko, where, among the apocalyptic looking carcasses of abandoned airplanes, thousands of internally displaced people have taken refuge in makeshift shelters. The terrain is bumpy and uneven; the air filled with dust, whirled up by playing children and even the slightest gust of wind. Open drains intercept the paths between the tents and, imperceptible for those who can see and jump, demarcate a rather limited zone of free movement for those who can’t.

Andet now calls a tent his home. Its tarp lets hardly any light through but has so many holes that when it rains its inhabitants get drenched. When food distributions used to take place in the M’Poko camp, the distribution site was inaccessible for him and people like him would get pushed aside. Sometimes he goes without food all day, he said. “Even to get soap to wash our clothes is not easy. You see how dirty I am from my pants to my feet?”

When Andet, at the age of 14, almost died from cerebral malaria and, resuscitated from a coma, woke up without any feeling in or control over his legs, he knew his life had changed forever. Although there was never a lot of support for people with disabilities he had managed to carve out his niche and gained a certain amount of independence by repairing mobile phones for a small fee. At camp, however, life is a daily struggle for survival and dignity. To accomplish even the most basic necessities, such as visits to the toilet, he needs help. And if he cannot find anybody to push him there, he has to stay put, as he cannot negotiate the uneven terrain by himself.

To be this dependent on others’ goodwill is something Andet finds hard to accept. But what he finds hardest to come to terms with is his parents’ desertion. “The war had just

started, you ran away, you knew I didn't have feet!" he told them when he found them at M'Poko. "And you abandoned me here! If the situations were reversed, I would never have left you behind, I would have preferred to die with you." Even though he has since tried to understand their predicament, the trauma of having been left behind continues to haunt him and remind him of his own vulnerability.

Having yet again been given another chance at life, however, Andet is determined to move on, which is why he wants his story to be known, and the plight of others in similar positions to be recognized. "We, people with disabilities, we have always been abandoned," he said. "So if there are people who can support us, please, come support us."

Central African Republic: Key Step toward Justice

Get New Special Criminal Court Up and Running

<https://www.hrw.org/news/2015/04/24/central-african-republic-key-step-toward-justice>

April 24, 2015 – Press Release

(Bangui) – The Central African Republic's National Transitional Council has taken decisive action for justice for the victims of atrocities by adopting a law to establish a Special Criminal Court within the national justice system, 23 Central African and international human rights organizations said today.

The draft law, which the government sent to the transitional parliament on February 6, 2015, was adopted by an overwhelming majority on April 22 during a plenary session. The special court will investigate and prosecute those responsible for war crimes and crimes against humanity in the Central African Republic since 2003.

“By approving the Special Criminal Court, National Transition Council members said that ‘enough is enough’ with impunity and showed that they firmly stand on the side of justice for the victims who lost their lives or suffered atrocities,” said the human rights organizations. “There is no time to lose for the government and its international partners to ensure that the Special Criminal Court is up and running as soon as possible.”

The court, as set out in the law, will be a hybrid judicial mechanism made up of Central African and international judges within the Central African justice system for a renewable five-year period. The court will have a Central African president and an international special prosecutor. There will be a majority of national judges.

The Central African authorities have repeatedly admitted the weaknesses of the national justice system, the groups said. The system has been ravaged by years of conflict and it lacks the manpower, material resources, and expertise to handle difficult investigations into complex crimes. Given that the investigations will touch on atrocities committed by armed groups still operating in the Central African Republic, the Special Criminal Court will

also play an important role in facilitating the protection and safety of judicial staff, victims, and witnesses.

“Mass crimes cases are extremely complex to investigate and cannot be treated like an ordinary theft,” said the organizations. “The Special Criminal Court will be a specialized tool to support the Central African justice system in dealing with grave human rights violations and ensuring the security of judges and witnesses.”

The law establishing the Special Criminal Court must now be enacted by the head of state of the transition, Catherine Samba-Panza. The law provides for setting up the court in stages. The judicial police, investigative judges, and office of the prosecutor are to start work first so that investigations can begin as soon as possible.

Numerous victims of serious crimes committed since 2012 are awaiting justice, the organizations said. The United Nations peacekeeping force in the Central African Republic, known as MINUSCA, has already arrested several suspects allegedly involved in serious crimes in recent months, including three leaders of the militia known as anti-balaka, and judicial proceedings against them need to move forward. To become a reality, and to be ready to investigate and judge the atrocities that continue to be committed in the country, the Special Criminal Court now needs qualified personnel, funding, and political support, at the national and international level, the groups said.

The Memorandum of Understanding between the government and MINUSCA, as well as the law establishing the court, anticipate that MINUSCA will provide the new court with considerable assistance, particularly support for logistics, investigations, arrests, and the nomination of international personnel. The UN Security Council should facilitate financial and logistical support for the court through MINUSCA’s mandate, which is up for renewal in April.

It will be crucial for the international experts and judges who will support the national personnel to have experience in prosecuting the most serious crimes and the desire to share this expertise and work closely with their Central African peers, the organizations said.

The organisations took note of the fact that the plenary of National Transitional Council removed from the law a provision specifying that there should be no immunities before the Special Criminal Court, which was in accordance with international law on grave international crimes. However, article 162 of the Central African criminal code clearly states that there can be no immunity from prosecution for war crimes, crimes against humanity, and genocide. Immunities also do not apply before the International Criminal Court (ICC). In addition, the organizations noted that any re-trial after the phase of appeal based on new facts should only happen exceptionally, under strict conditions, and before the Special criminal court.

The new law also provides for cooperation with the International Criminal Court (ICC), which opened a second investigation in the Central African Republic in September 2014. This will be the first time that a hybrid court has been established in a place where the ICC is also active.

The Central African Republic has been in acute crisis since early 2013, when the rebels of the Seleka coalition, largely from the northern part of the country, seized power in a campaign characterized by widespread killing of civilians, burning and looting of homes, and other serious crimes. In mid-2013, militias calling themselves the anti-balaka organized to fight against the Seleka. The anti-balaka began committing large-scale reprisal attacks against civilians, mostly Muslims thought to be supporting the Seleka. Thousands of people died and hundreds of thousands were displaced by the conflict.

“With the referral to the ICC and the establishment of a hybrid court, the Central African Republic is innovating and demonstrating its strong commitment to combating impunity for the most serious crimes,” said the organizations. “The two courts will have to share the workload and develop arrangements governing their mutual cooperation to maximize their efficiency and increase opportunities for justice.”

The organizations that issued this statement are:

Action des Chrétiens pour l’Abolition de la Torture (ACAT-RCA)

Amnesty International (AI)

Association des Femmes Juristes de Centrafrique (AFJC)

Association des victimes de la LRA en RCA (AVLRAC)

Avocats Sans Frontières Centrafrique (ASF/RCA)
Bureau Information des Droits de l'Homme (BIDH)
Coalition centrafricaine pour la Cour Pénale Internationale (CCCPI)
Civisme et Démocratie (CIDEM)
Commission Episcopale Justice et Paix (CEJP)
Enfants Sans Frontières (ESF)
Femme Action et Développement en Centrafrique (FADEC)
Human Rights Watch
Initiative pour le Développement de Centrafrique (IDC)
International Federation of Human Rights (FIDH)
Lead Centrafrique (Lead)
Ligue Centrafricaine des Droits de l'Homme (LCDH)
Mouvement des Droits de l'Homme et Action Humanitaire (MDDH)
Observatoire Centrafricain des Droits de l'Homme (OCDH)
Observatoire Centrafricain pour les Elections et La Démocratie (OCED)
Observatoire pour la Promotion de l'Etat de Droit (OPED)
Parliamentarians for Global Action (PGA)
Réseau des ONGs de Promotion et Défense des Droits de l'Homme (RONGDH)
Réseau national de la Jeunesse pour les Droits de l'Homme (RNJDH)

Central African Republic: Muslims Held Captive, Raped

UN, Government Should Free Ethnic Peuhl Women, Children Held by Anti-Balaka

<https://www.hrw.org/news/2015/04/22/central-african-republic-muslims-held-captive-raped>

April 22, 2015 – Press Release

(Nairobi) – At least 42 Muslim Peuhl herders, mostly women and girls, are being held captive by anti-balaka fighters in the Central African Republic and are at risk of sexual violence, Human Rights Watch said today. There are reports that many others may also be held. United Nations peacekeepers and the government should urgently act to free them.

Members of one family Human Rights Watch interviewed on April 13, 2015, described the horrors they endured during 14 months of captivity in Pondo, a village in the southwest. The anti-balaka killed two boys, ages about 6 and 7, and raped three young women and girls, one of whom became ill and died in captivity. Her year-old baby died of malnutrition. The surviving family members were rescued on April 4 and 5.

“Holding civilians captive, killing children, and sexually enslaving women and girls are shocking tactics by these anti-balaka and amount to war crimes,” said Lewis Mudge, Africa researcher at Human Rights Watch. “UN peacekeepers and government officials who have already taken bold steps to free one group of ethnic Peuhl should urgently intervene to free the others and arrest their captors.”

The anti-balaka are an armed group who have killed and targeted thousands of Muslims since 2013. Thirteen surviving members of the family were released on April 4 and 5 following the intervention of local authorities and the UN peacekeeping mission in the country, known as MINUSCA. Human Rights Watch first reported that a group of Peuhl was held captive in Pondo on December 22, 2014, and urged action to free them.

Members of the recently released family, witnesses, and other sources said that dozens of other Peuhl are being held in the southwest, including towns and villages near Pondo.

They said about 30 are being held in Lambi, 11 in Ngbaina, and 1 in Betefio. Human Rights Watch has also received information that dozens of Peuhl were being held in Gadzi and others in Gaga, though their circumstances remain unclear. The vast majority are women and girls, some held for over a year. The reports raise a strong possibility that other groups of Peuhl are also being held.

One young woman, about 18 years old, said she had been raped by multiple anti-balaka fighters during her captivity. “I was taken as a wife by the anti-balaka,” she said. “It was against my will, I did not want to accept it. It was not just one man, it was with many different men. They would just take me. They brutalized me and I am now pregnant.”

The victim’s sister, who is about 20, was raped repeatedly during her captivity by one anti-balaka fighter who had claimed her as his “wife.”

The 20-member extended family was fleeing from anti-balaka attacks in late 2013 and early 2014, like many other Peuhl at the time. They became trapped in a forested area with their cattle, uncertain where to head for safety. In February 2014, as the family was camped with their cattle at Yassibele, near Pondo, the anti-balaka ambushed them. Family members ran in various directions, but most were captured. Three male members of the family have not been heard from since.

The anti-balaka fighters, commanded by François Wote, took the captured Peuhl to Pondo. Four family members told Human Rights Watch that the anti-balaka fighters said they would “protect” the family, but it quickly became clear they were captives. They were held in a house on the outskirts of Pondo surrounded by anti-balaka fighters.

Family members quoted Wote as saying: “We will keep you. The whites must come and pay for the protection that we are giving you. If people never come to pay, then you will never leave.” Family members said the anti-balaka would regularly threaten them saying, “We will kill you today,” or at other times, “You are Peuhl, why are we protecting you?” insinuating they should be killed.

A few weeks after the family was taken captive, anti-balaka fighters from a neighboring village took away two boys, Baboule and Issa Bouba, and killed them. The anti-balaka fighters told the family: “We don’t want to see men, we only want to see women.”

A female member of the family told Human Rights Watch how helpless she felt when the anti-balaka took Issa. “Issa did not want to go [with the anti-balaka],” she said. “He tried to grab onto us to save himself because he was so scared. But if we had tried to save Issa, the anti-balaka would have killed us too.”

A female baby named Biba died of malnutrition after several months of detention. Members of the group told Human Rights Watch that her mother, Aï, was raped and later died of an undiagnosed illness.

On April 4 and 5, local authorities from the area, hearing about a possible group of captive Peuhl, travelled to Pondo and freed the captives. UN peacekeepers facilitated the effort. The captives were taken to the Muslim enclave at Yaloké, where they have access to basic medical services. They said they want to leave there for Cameroon to join other Peuhl who have sought refuge.

Human Rights Watch has documented other cases in which anti-balaka fighters held civilians for ransom in 2014, in Ngbaina in the southwest and in Nana-Grebezi province in the central area. In one case, 34 women and children were released only after the anti-balaka received payment from their family.

Wote, the anti-balaka leader in Pondo, reports to Guy Wabilo, the anti-balaka zone commander of the Gadzi region. The former Pondo captives said that Wabilo regularly passed by the village, knew of their captivity and had registered their names. The family members said that the Pondo anti-balaka asked Wabilo for money to release the Peuhl, but he said he did not have it and that “they should just keep us.” Peuhl believed to be held captive in Ngbaina and Betefio are also in the zone Wabilo controls. In recent weeks Wabilo has told UN officials he is willing to cooperate in releasing other captives.

Human Rights Watch sought unsuccessfully to speak with Wabilo on several occasions, both in Yaloké and over the phone. In March 2014, Wabilo told Human Rights Watch that “Any anti-balaka who breaks the law must be arrested.” He said then that he reported to Patrice Edouard Ngaissona, who claims national leadership of the anti-balaka.

The national justice system in the Central African Republic has been ravaged by successive conflicts and lacks the resources and expertise to deal with grave international crimes. In

September, acting on a referral from the transitional government, the International Criminal Court (ICC) prosecutor opened a second investigation in the Central African Republic, concerning crimes committed since January 2012.

The National Transitional Council, the country's interim parliament, is debating a draft law to create a Special Criminal Court within the national judicial system that would include national and international judges and staff. The special court would complement the work of the ICC and try those responsible for grave crimes. The draft law under consideration specifies that the special court should pay specific attention to sexual violence and crimes against children, such as those Human Rights Watch documented in Pondo.

The Central African Republic has been in crisis since early 2013, when the mostly Muslim Seleka rebels seized power in a campaign characterized by widespread killing of civilians, burning and looting of homes, and other serious crimes. In mid-2013, groups calling themselves the anti-balaka organized to fight the Seleka and began large-scale reprisal attacks against Muslim civilians, including Peuhl herders. Thousands of civilians were killed and hundreds of thousands displaced during the conflict. The conflict continues between Seleka, anti-balaka and international forces – MINUSCA and French troops – in the eastern part of the country.

The UN Security Council has mandated MINUSCA to address sexual violence, and to ensure that these efforts are mainstreamed within the work of the mission, including helping to hold those responsible to account. The MINUSCA mandate is to be renewed on April 28 and it is expected that the provisions for combatting sexual violence will remain strong.

“Those responsible for these brutal crimes need to be held to account as continued impunity is likely to only embolden the attackers,” Mudge said. “UN and government officials should also urgently assess where else Peuhl and other civilians might be held captive, work to release them, and help the victims get counselling and medical treatment.”