



# THE PRIMACY OF PROTECTION

Delivering on the MINUSCA Mandate  
in the Central African Republic

CENTER FOR  
**CIVILIANS IN CONFLICT**  
RECOGNIZE. PREVENT. PROTECT. AMEND.

# RECOGNIZE. PREVENT. PROTECT. AMEND.

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# **The Primacy of Protection**

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## **Organizational Mission and Vision**

Center for Civilians in Conflict (CIVIC) works to improve protection for civilians caught in conflicts around the world. We call on and advise international organizations, governments, militaries, and armed non-state actors to adopt and implement policies to prevent civilian harm. When civilians are harmed, we advocate for the provision of amends and post-harm assistance. We bring the voices of civilians themselves to those making decisions affecting their lives.

CIVIC's vision is for a future where parties involved in conflict go above and beyond their legal obligations to minimize harm to civilians in conflict. To accomplish this, we assess the causes of civilian harm in particular conflicts, craft creative solutions to address that harm, and engage with civilians, governments, militaries, and international and regional institutions to implement these solutions.

We measure our success in the short term by the adoption of new policies and practices that lead to the improved wellbeing of civilians caught in a conflict. In the long term, our goal is to create a new global mindset around robust civilian protection and harm response.

## **Acknowledgements**

Evan Cinq-Mars, United Nations Advocate and Policy Advisor, served as the primary author and researcher of this report. Enrica Picco, who contributed to interviews and research for CIVIC as a consultant, reviewed the report. The report was also reviewed by Christopher Allbritton, Communications Manager; Federico Borello, Executive Director; Alison Giffen, Peacekeeping Director; Marla Keenan, Senior Director, Programs; and Lauren Spink, Peacekeeping Advisor. In addition, five UN officials provided invaluable feedback on drafts.

CIVIC is grateful to many officials within the United Nations Multidimensional Stabilization Mission in the Central African Republic, the UN country team, and humanitarian and non-governmental organizations who shared their ideas and time during the assessment. These individuals work tirelessly in an extremely challenging environment to improve the protection for civilians in CAR.

The civilians CIVIC interviewed have suffered years of insecurity and recent displacement that has violently uprooted their lives. We greatly appreciate their time in speaking with us despite their urgent concerns, including being separated from their families and losing loved ones. CIVIC is aware of our obligation to make sure their words are translated into policies and practices to address their protection concerns.

## Table of Contents

Executive Summary .....	4
Findings and Recommendations .....	6
Mission Planning and Analysis .....	7
Security Council Authorization and Support for Mandate Implementation .....	7
Mission Concept and Capability .....	7
Performance, Remedial Action, and Accountability .....	9
Methodology .....	10
Background: The Protection Crisis in The Central African Republic.....	11
Snapshot: Conflict in The Central African Republic .....	12
Kaga Bandoro .....	15
A Tale of Two Towns: Bria and Bambari.....	17
Bria: “A Small War” .....	18
MINUSCA’s Response .....	19
Preventing The “Battle of Bambari”?.....	23
Challenges in Protecting Civilians .....	24
Context and Capacity.....	25
Interpretation and Viability of the Mandate.....	27
From Concept to Operations.....	29
Preparedness and Training to Protect Civilians.....	30
Protection Performance, Monitoring and Evaluation .....	31
Urgent Temporary Measures .....	33
Planning and Analysis: A Whole of Mission Approach.....	33
Conclusion.....	35



Women walk in front of a MINUSCA military vehicle in Bambari (March 2017) © MINUSCA

## Executive Summary

Civilians in the Central African Republic (CAR) continue to suffer from an acute protection crisis that began in late 2012 with the launch of the Séléka rebellion and ensuing violence between Séléka rebels and anti-balaka militias since mid-2013. The United Nations (UN) estimates that between 3,000 and 6,000 civilians have been killed since December 2013, though these figures are neither current nor comprehensive.

The protection crisis has entered a particularly volatile phase since mid-2016, predominantly as a result of violence perpetrated by armed non-state actors. More than 14 different armed groups operate throughout the territory and control an estimated 60 percent of the country. Many of these groups continue to perpetrate direct attacks against civilians and subject them to serious violations of human rights and international humanitarian law. Despite Presidential elections in early 2016, the Government remains largely unable to afford meaningful protection to civilians, particularly due to a lack of presence and capacity beyond the capital, Bangui. Ongoing challenges in disarmament, demobilization and reintegration, security sector reform, and accountability, as well as other underlying drivers of violence, are further contributing to an increasingly unsustainable status quo in CAR.

Amid this challenging situation, this Center for Civilians in Conflict (CIVIC) report seeks to review the implementation of the protection of civilians (POC) mandate by the United Nations Multidimensional Integrated Stabilization Mission in the CAR, or MINUSCA. Since its initial authorization in 2014, the protection of civilians has been one of MINUSCA's priorities. The Security Council renewed MINUSCA's deployment in July 2016 until November 15, 2017, with the strategic objective of supporting "the creation of conditions conducive to the sustainable reduction of the presence of, and threat posed by, armed groups through a

comprehensive approach.”<sup>1</sup> In accordance with the mission’s renewed mandate and the evolving situation on the ground, the UN Secretariat developed a new Concept of Operations (CONOPS) for MINUSCA’s military component that stresses the importance of the mission adopting a proactive and robust posture, including through flexible deployment and active patrolling. At present, approximately 12,135 uniformed personnel and 760 civilian personnel are deployed in the mission.<sup>2</sup>

This report draws on extensive interviews and research conducted by CIVIC in CAR between December 6–20, 2016. The first half of the report examines three cases of MINUSCA responses to protection crises: the response to violence in Kaga Bandoro in September and October 2016; the violence in Bria between November 21–24, 2016; and the ongoing situation in Bambari and its surrounding areas. Whereas MINUSCA struggled to prevent and respond to civilian harm in Kaga Bandoro and Bria, the mission has, to date, adopted a robust posture to prevent escalation and threats to civilians in Bambari. The situations in these towns remain volatile and will require proactive engagement by MINUSCA civilian, military and police components to uphold the mission’s POC mandate.

The second half of the report looks at seven obstacles that MINUSCA faces in implementing its protection mandate, including:

- The challenging context in which MINUSCA is deployed, particularly the lack of host-state capacity to protect civilians, the number and geographic spread of threats, and the violent tactics of non-state armed groups;
- A lack of clarity within the mission on how to prioritize and sequence mandated tasks despite the Security Council’s direction;
- Concerns about the efficacy of the new mission’s military CONOPS;
- Insufficient and uneven preparedness and training to protect civilians across the mission;
- Inadequate monitoring and evaluation of the mission’s implementation of its protection tasks and accountability for failures;
- Difficulty in implementing the mission’s unique Urgent Temporary Measures authority, particularly to arrest those individuals allegedly responsible for serious violations of international law, and;
- Under-resourced mission analysis and planning, which could and should be augmented outside of Bangui.

Effectively addressing these obstacles will require a mission-wide approach, constructive engagement from—and collaboration with—the Government of CAR and UN Country Team, and determined support from the UN Secretariat, the Security Council, and Troop and Police Contributing Countries (TCCs and PCCs).

The need to strengthen the protection of civilians could not have been more evident during CIVIC’s December assessment—and it will remain critical moving forward. Although limited in presence and capacity, MINUSCA is the only actor currently able to respond to threats to civilians. The situation for civilians in CAR would be significantly worse if the mis-

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<sup>1</sup> UN Security Council Resolution 2301 (S/RES/2301), July 26, 2016, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2301\(2016\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2301(2016)).

<sup>2</sup> As of December 31, 2016, MINUSCA had 10,032 troops, 1,750 police and 398 military observers. See <https://minusca.unmissions.org/>.

sion was not deployed. This report is intended to provide constructive recommendations to stakeholders that can enhance MINUSCA's ability to protect civilians. While many of the recommendations are specific to the mission, others could be applied to improve the protection of civilians through peacekeeping in other contexts.





## Findings and Recommendations

### Mission Analysis and Planning

MINUSCA's effectiveness in protecting civilians differed sharply between a case where contingency planning was lacking (Bria) and a case where contingency planning was developed as indicators of threats to civilians were rising (Bambari).

#### **Recommendation(s):**

- Increase and improve sector-specific and mission-wide contingency planning, with a specific focus on POC threats and scenarios, including by conducting regular scenario-based and table-top exercises, particularly at Force Headquarters and at Sector Headquarters and Field Offices. These should be done in coordination with the UN Humanitarian Country Team and other relevant humanitarian agencies as appropriate.

### Security Council Authorization and Support for Mandate Implementation

MINUSCA's current mandate outlined in UN Security Council Resolution 2301 includes four immediate priority tasks (including POC), four core priority tasks, two essential tasks, and five additional tasks for MINUSCA. The mandate does not explicitly differentiate how to sequence or phase these tasks. This makes it difficult for mission leadership to allocate sufficient capacity toward POC.

#### **Recommendation(s):**

- MINUSCA's leadership should immediately clarify that the protection of civilians from the threat of physical violence is the mission's number one priority, and ensure that military, police, and civilian resources are adequately allocated to that task.
- The Security Council should undertake a visiting mission in advance of the November 2017 mandate renewal to enhance situational awareness and review the implementation of MINUSCA's mandate, particularly in terms of protecting civilians and achievement of the strategic objective;
- The Security Council should consider revising MINUSCA's mandate in November 2017 to ensure the prioritization of the protection of civilians from physical violence is clear and achievable. This will likely require a reduction in the number and scope of tasks and a clarification of how to sequence the mandate. The Council should ensure this is done in close coordination with the Secretariat, MINUSCA senior leadership, and with principal MINUSCA TCCs and PCCs.
- In the mandate, the Security Council should express concern over the incidents of national security forces hindering MINUSCA's movement, and deliver public and private messages to the Government of CAR dissuading such restrictions.

### Mission Concept and Capability

MINUSCA has largely been unable to secure weapons free zones or areas.<sup>3</sup> UN policies and practices that create a false sense of security can exacerbate the vulnerability of civil-

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<sup>3</sup> MINUSCA has applied different versions of weapons-free policies in different locations. In Bambari, MINUSCA applied it to a strictly defined zone, whereas in Bria, the policy applied to the entire area of the city.

ians who might pursue other self-protection strategies if they are aware that the UN cannot effectively secure an area.

**Recommendation(s):**

- MINUSCA should review whether and how its use of force directives, interpositioning between armed actors and civilians, and use of attack helicopters in Bambari could successfully be applied to other designated weapons-free zones or areas;
- MINUSCA should review whether and how to continue establishing weapons-free zones or areas. The mission should ensure that reviews are based on protection risk analysis that looks at the capacity, tactics and objectives of the armed actors; scenario-based planning; and a realistic assessment of the mission's capability to enforce the zones. Community engagement is essential to informing and effectively implementing these zones.

MINUSCA has mechanisms in place to analyze and respond to POC threats across mission components and in collaboration with humanitarian actors. However, these are largely concentrated in Bangui.

**Recommendation(s):**

- The Secretariat and MINUSCA should implement mission-wide mechanisms that enable effective information sharing, analysis and proactive decision-making and action in field locations.

The POC unit in the mission has played a valuable role in supporting civilian, military, and police components of the mission.

**Recommendation(s):**

- MINUSCA should reinforce POC-related skills and operational coordination capacities within the mission, including by recruiting and deploying POC officers to sector headquarters and field offices to enhance mission-wide responses to POC threats or situations.

Although insufficient or ineffective with some armed actors, mediation efforts between armed groups by mission leadership and personnel are important to prevent and mitigate violence against civilians, particularly where threats often outstrip the capacity of the mission's uniformed personnel to effectively deter violence against civilians.

**Recommendation(s):**

- The UN Secretary-General and MINUSCA leadership should ensure that analysis and planning results in effective mediation efforts. The UN Security Council should ensure that the MINUSCA mandate includes language that calls for and supports mediation activities at the local level. Training should be enhanced in this regard.

MINUSCA's new military CONOPS aims to address the findings of a 2016 strategic review and respond to the most recent mandate renewal. The objective of the CONOPS, to create a more flexible and responsive operation, is critical to effective POC. Stakeholders have

expressed concern that the CONOPS plan to replace a number of small temporary operating bases in the interior with larger, but fewer, bases supporting long-range patrols will negatively affect mission presence and protection.

**Recommendation(s):**

- Undertake scenario-based planning to explore how changes to the mission footprint could positively and negatively affect protection and humanitarian access. Review the implementation of the new CONOPS at regular intervals, to determine whether it results in more effective protection of civilians;
- MINUSCA leadership must ensure that military and police operations are sufficiently integrated and coordinated between civilian, military, and police components, as well as with humanitarian agencies.

MINUSCA officials cited inadequate capacity and resources within the mission as a constraint for conducting regular contingency planning and scenario-based table-top training exercises.<sup>4</sup>

**Recommendation(s):**

- The Secretariat should deploy a mobile training team to CAR to develop effective and regular in-theatre training, including scenario-based table-top exercises specific to CAR's threat environment, for all military, police, and civilian components. POC experts from the UN secretariat should be part of this deployment.

Stakeholders interviewed for this report cited a lack of TCC and PCC capability to implement the mission's POC mandate.

**Recommendation(s):**

- TCCs and PCCs should increase and improve POC pre-deployment training for uniformed personnel through close coordination with the Department of Peacekeeping Operations and Field Support;
- The UN secretariat should strengthen its review of the efficacy of TCC and PCC pre-deployment POC training before determining whether and where to deploy them.

**Performance, Remedial Action, and Accountability**

National stakeholder expectations of MINUSCA, particularly in the absence of host state capacity, far outstrip MINUSCA's capacity to protect. Real and perceived protection failures feed anti-MINUSCA sentiment, which undermines mission safety and prospects for success.

**Recommendation(s):**

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<sup>4</sup> CIVIC interview with MINUSCA civilian officials, Bangui, December 2016.

- The UN Secretariat and MINUSCA leadership should review whether the mission's strategic communications and community engagement strategies and capacities are effectively able to manage population expectations.

MINUSCA's POC performance is inconsistent. The UN Secretary-General, Secretariat, Security Council, MINUSCA personnel, and TCC and PCCs share responsibility for identifying the causes of protection failures and for ensuring remedial action and accountability.

### **Recommendation(s):**

- The UN Secretariat should ensure that sharing the results of UN boards of inquiry, which investigate mission protection failures, with the responsible TCCs or PCCs leads to effective remedial actions.
- The Department of Peacekeeping Operations (DPKO) should continue to implement policies that require Force and Contingent Commanders to regularly evaluate the performance of their subordinate troops and relay these findings back to UN and Force headquarters as well as the TCC's military headquarters at home. DPKO should work to ensure these reviews facilitate remedial action. DPKO should also manage and analyze this information at UN headquarters to improve the Secretariat's capacity to ensure TCC accountability, up to and including the replacement or repatriation of units that demonstrate a pattern of underperformance.
- The UN Police Division should ensure their policies and practices result in systematic reviews of PCC performance in MINUSCA and facilitate information-sharing with PCCs.
- Civilian components of the mission should also be reviewed. DPKO and the Department of Field Support (DFS) have developed indicators to assess a mission's implementation of its POC mandate, and should determine how these indicators are applied to the assessment of civilian components. Assessment findings should be linked to decisions related to mission planning and budgeting, as well as the recruitment, training and management of civilian staff.
- DPKO and DFS should improve how POC indicators are included in mission-wide assessments and evaluations, and are linked to mission planning and design, budgeting decisions, and the selection, training, and performance management of senior mission leadership. All incidents of protection failures and all reviews of POC capacity should be immediately transmitted to the Secretariat.
- Monitoring and evaluating POC performance should not focus on protection failures alone. Member States have long called on the Secretary-General to more systematically capture good practices in the implementation of POC mandates. MINUSCA should record good practices and transmit these to the UN headquarters and to the public through strategic communications and public information offices.

### **Methodology**

This report is primarily based on field research conducted by one CIVIC staff member and one research consultant. They conducted interviews and research in Bangui and Bria between December 6–20, 2016. Following the assessment mission, several additional interviews were conducted with subject matter experts.

CIVIC interviewed 13 CAR civilians<sup>5</sup>, 33 MINUSCA officials and 18 other officials from the United Nations Humanitarian Country Team, international non-governmental organizations, the diplomatic community, and CAR experts. In some cases, multiple interviews were conducted with the same person or group of individuals to comprehensively understand their perspectives. All interviews were conducted using a semi-structured format.

The interviews with civilians were conducted primarily at internally displaced persons (IDP) sites in Bria and Bangui. CIVIC did not offer interviewees any incentive for speaking and they were given the opportunity to end the interview at any time.

CIVIC received feedback on a draft of this report from five UN officials. Many of their comments have been incorporated into this final version.

For the security and privacy of people interviewed, CIVIC has withheld names and identifying information throughout the report.

## **Background: The Protection Crisis in Central African Republic**

The current protection crisis in CAR is linked to the acute instability that has gripped the country since December 2012. Since that time, CAR has experienced a successful rebel take-over of the capital, a dissolution and reconstitution of its still nascent government following elections in 2016, unprecedented population displacement, and ongoing violence between armed groups that has likely amounted to some of the most serious violations of international humanitarian and human rights law.

Civilians in CAR currently face numerous threats to their immediate safety and wellbeing, with armed non-state actors presenting the most significant threat. These groups continue to exert control over large swathes of territory—estimated at approximately 60 percent of the country, according to a UN human rights expert on CAR - and take advantage of a climate of impunity and the limited presence of state authority. Civilians are particularly vulnerable during hostilities between different armed non-state actors, during which they are directly targeted, wounded in crossfire, or displaced.

According to a recent UN report, approximately 287 civilians have been killed in clashes between armed groups since September 2016.<sup>6</sup> Perceived or actual affiliation with certain armed elements or militias, often based on religion and ethnicity, is also a significant risk for civilians and communities. As of January 2017, the UN Office for the Coordination of Humanitarian Affairs (OCHA) counted seven humanitarian “hotspots” where protection needs are particularly acute.<sup>7</sup>

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<sup>5</sup> Of the 13 civilians interviewed, 5 were women and 8 were men.

<sup>6</sup> Report of Secretary-General on the Central African Republic, (S/2017/94), February 1, 2017, <http://reliefweb.int/sites/reliefweb.int/files/resources/N1701475.pdf>.

<sup>7</sup> UN Office for the Coordination of Humanitarian Affairs, “24 janvier 2017—Hotspots (Zone Est, Ouest, Centre),” [http://reliefweb.int/sites/reliefweb.int/files/resources/2017.01.24\\_HotSpots.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/2017.01.24_HotSpots.pdf).

## Snapshot: Conflict in The Central African Republic

Since its independence in 1960, CAR's history has been marked by political turmoil and instability. The country's most recent spate of violence began in November 2012, as the Séléka, a primarily Muslim rebel coalition, initiated attacks throughout northern and central CAR. These attacks were understood as attempts to overthrow then President François Bozizé. Bozizé, who had himself seized power in 2003 in a coup that led to the outbreak of the four year Bush War, was accused of violating peace agreements signed at the end of that war. In March 2013, the Séléka advance culminated as rebels seized the capital, Bangui, forcing President Bozizé to flee the country. Rebel leader Michel Djotodia subsequently took power becoming the first Muslim leader in the country.

Despite overtaking the Government, Séléka militias throughout the country continued their attacks, killing countless civilians and destroying homes in Bangui and the provinces. Hoping to separate his presidency from these crimes, Djotodia dissolved the Séléka coalition in September 2013. This effort, however, was to no avail as many Séléka refused to disarm and continued pillaging and burning villages and killing civilians. These crimes ultimately gave rise to the anti-balaka: predominantly Christian militias who carried out retaliatory attacks on Muslim and Peulh communities in CAR. Since then, the conflict in CAR has taken on an increasingly sectarian quality characterized by ethnically-motivated reprisal attacks committed by both anti-balaka and former Séléka rebel factions.

In January 2014, as fighting and deliberate attacks against civilians continued to escalate, Djotodia resigned facing immense criticism for his failure to stop rampant violence. A transitional government was established with interim President Catherine Samba-Panza leading efforts to restore peace. Despite this attempt at reconstituting State authority, and despite the deployment of African Union, French and United Nations forces in CAR, the continued violence and conflict at large had unprecedented humanitarian, security and economic ramifications for civilians. By September 2014, over 3,000 Central Africans had died and nearly 1 million people—more than 20 percent of CAR's population—had been displaced.

Factions of the former Séléka rebel alliance present the most significant threat to civilians. The major factions are the Front Populaire pour la Renaissance de la Centrafrique (FPRC), Mouvement Patriotique pour la Centrafrique (MPC), Rassemblement Patriotique pour le Renouveau de la Centrafrique (RPRC), and Union pour la Paix en Centrafrique (UPC). Efforts were initiated by the FPRC in 2016 to reintegrate the various factions, but only the RPRC agreed to join a coalition at a General Assembly convened in Bria October 18–19, 2016. Hostile dynamics between the factions of the former Séléka rebel alliance have been a significant driver of violence since late 2016, particularly in the Haute-Kotto and Ouaka prefectures, with serious consequences for civilians.<sup>8</sup> The FPRC coalition has received support from the MPC, as well as anti-balaka militias, in a push to oust the UPC from the strategic town of Bambari. Violence has been particularly acute in the areas surrounding Bria and Bambari since late 2016, particularly near Ippy and Bakala.

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<sup>8</sup> Generally, most armed groups continue to operate separately of officially stated affiliations or unified command and control structures. Certain groups have also entered into alliances of convenience—including with once sworn enemies. Notable examples include elements of the RPRC and anti-balaka militias in Bambari, and the MPC and RJ (who are the RJ?) in the northwest. The complex nature of relationships between the armed groups poses a significant challenge in devising and delivering on protection strategies.

The situation in Kaga Bandoro in Nana-Grebizi prefecture remains a serious concern following a spike of violence in September and October 2016. At least 37 civilians were killed and 20,000 people displaced following an attack on the Evêché IDP camp in Kaga Bandoro, perpetrated by MPC and FPRC elements and armed civilians, on October 12.<sup>9</sup> The violent events in Kaga Bandoro were preceded by clashes between the anti-balaka and MPC and FPRC in Ndomété, 10 kilometers south of Kaga Bandoro, on September 16–17 that led to the deaths of at least six civilians and the displacement of 3,200 people. These events are discussed in detail below.

Anti-balaka militias remain a significant threat to civilians in CAR. These groups are highly irregular and do not operate under a unified chain of command and control, and continue to perpetrate violence against civilians in Bangui and strongholds in western prefectures. They are also active in towns in the center of the country, like Kaga Bandoro and Bambari (Ouaka prefecture), and frequently clash with other armed non-state actors. Anti-balaka militias also contribute to dangerous levels of incitement, particularly against the minority Peulh populations of CAR, and continue to harass civilians on the basis of ethnicity and religion.

The situation in the northwest Ouham and Ouham-Pende prefectures has reached a critical level in terms of the protection of civilians, largely driven by violence by the Retour, Réclamation et Rehabilitation (3R) armed group. Cycles of violence perpetrated by 3R, as well as a result of clashes with other armed elements, including Révolution et Justice, (RJ), anti-balaka militias and factions of the former Séléka rebel alliance, are contributing to protracted civilian harm and displacement. At least 18,000 people have been displaced in the Bocaranga and Kouï sub-prefectures in the northwest since September 2016, though the area has largely been inaccessible to humanitarian actors due to insecurity. On February 2, approximately 22 people were killed and 30,000 displaced in an attack on Bocaranga during which the central market was burned down, the Catholic church pillaged, and the bases of three humanitarian organizations attacked.<sup>10</sup>

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<sup>9</sup> See MINUSCA Human Rights Division, “Special Report on Kaga Bandoro Incidents: 12 to 17 October,” December 2016, [https://minusca.unmissions.org/sites/default/files/minusca\\_report\\_kaga\\_bandoro\\_en.pdf](https://minusca.unmissions.org/sites/default/files/minusca_report_kaga_bandoro_en.pdf)

<sup>10</sup> Serious questions have emerged regarding the response of MINUSCA to the incident in Bocaranga. According to a February letter from the CAR INGO Forum to members of the UN Security Council obtained by CIVIC, at approximately 5:30AM on February 2 “a heavily armed group of some 80 elements entered the town of Bocaranga. They shot civilians, attacked multiple NGO offices and stores. NGO workers alerted MINUSCA immediately of the violence, then sought refuge in the MINUSCA compound where they urged the forces to intervene. Five hours later, at 10.30 am, the MINUSCA contingent left their compound to assess the situation. The armed groups had already left town...The next day, a different group of armed elements took control of the city, setting up check points, which continue to be in place impacting the freedom of movement and access to humanitarian assistance.” CIVIC was not able to independently verify these claims, particularly as the incident occurred after CIVIC’s assessment.



Ammunition seized by MINUSCA from Séléka fighters in Bria after a clearing operation in February 2015 (February 2015). © MINUSCA

The Lord's Resistance Army (LRA) and an LRA splinter group also pose a threat to civilians in the southeast of the country. According to The Resolve LRA Crisis Initiative, attacks, killings, and abductions committed against civilians by the LRA in CAR increased sharply in 2016 compared to 2015.<sup>11</sup>

More generally, porous borders continue to drive instability. CAR is surrounded by countries facing varying levels of internal strife, particularly the Democratic Republic of the Congo, Sudan and South Sudan—all countries with large UN peacekeeping operations.

The security situation in Bangui has gradually improved since MINUSCA's deployment. The mission has been forced to learn hard lessons, particularly following violent incidents in October 2014, and September and October 2015 during which the capital was locked down due to fighting between armed groups.<sup>12</sup> Bangui is nevertheless not immune to violence, as evidenced in October 2016 with the killing of a CAR military commander on October 4; significant protests against MINUSCA on October 24, which left 4 civilians dead; and an outburst of fratricidal violence among self-defense groups in the market area in Bangui's 3<sup>rd</sup> arrondissement<sup>13</sup> on October 30. The potential for volatility in Bangui, including its im-

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<sup>11</sup> See LRA Crisis Tracker, <https://lracrisistracker.com>. See also, Dominic Ongwen's Domino Effect, The Resolve LRA Crisis Initiative, Invisible Children, January 2017, <http://www.theresolve.org/wp-content/uploads/2017/01/Dominic-Ongwens-Domino-Effect-January-2017.pdf>

<sup>12</sup> See, for example, Amnesty International, "Mandated to Protect, Equipped to Succeed? Strengthening Peacekeeping in the Central African Republic," February 7, 2016, <http://www.amnestyusa.org/research/reports/mandated-to-protect-equipped-to-succeed-strengthening-peacekeeping-in-central-african-republic>.

<sup>13</sup> The CAR is divided into 14 prefectures. The capital Bangui has 8 arrondissements, or administrative districts.



pact on the civilian population, requires ongoing attention and resources by MINUSCA and humanitarian actors, particularly following the closing of the IDP site at the M'Poko International Airport.

Protracted displacement remains a serious protection concern, with more than 434,000 IDPs as of December 2016. Armed groups frequently gather near or attack vulnerable sites, requiring enhanced protection from MINUSCA. CAR has also become the most dangerous conflict for humanitarian workers, with more security incidents reported in 2016 than in Syria, Iraq, or Afghanistan.<sup>14</sup> Furthermore, UN peacekeepers continue to come under attack by various armed elements. Most recently, two Moroccan peacekeepers were killed in an ambush on January 4, and a Bangladeshi peacekeeper was killed in an ambush on January 6. The three fatalities in two days brought the number of MINUSCA peacekeepers killed in attacks to 15 since September 2014. Attacks against humanitarian workers and peacekeepers are illegal under international law given their protected status.

The UN Security Council authorized and deployed MINUSCA to take over peacekeeping responsibilities from an African Union-led mission, MISCA, which was deployed to protect civilians and prevent a further destabilization of the situation between December 2013–September 2014. The progressive deployment of MINUSCA since September 2014—as well as the parallel support operations by the French military and the European Union—have contributed to reducing the level of violence witnessed from December 2013 to the middle of 2014.

Despite these efforts, as well as the relatively peaceful election of a new president in the midst of an ongoing conflict in early 2016, the situation in CAR has entered a volatile phase that threatens to upend the progress made and heightens protection risks to civilians. The following section surveys three instances referenced above—Kaga Bandoro, Bria and Bambari—in more detail to elaborate on the challenges MINUSCA has faced in delivering on its mandate to protect civilians.

### **Kaga Bandoro**

The response to violence in Kaga Bandoro, approximately 245 kilometers north of Bangui and the location of MINUSCA's central sector headquarters, in September and October 2016 is indicative of broader challenges around POC performance facing the mission. As of early September, the Pakistani Battalion was the only MINUSCA contingent deployed in Kaga Bandoro. The town and its immediate surrounding area have been a high-risk protection zone and humanitarian hotspot since early 2014, with thousands of people sheltering in vulnerable IDP sites, including at least 7,000 people at the Evêché IDP. Hostilities between the FPRC and MPC and anti-balaka militias, as well as armed civilians, and related opportunistic violence continue to pose a significant threat to civilians and trigger significant population displacement.

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<sup>14</sup> See Voice of America, "CAR Becomes Most Dangerous Spot for Aid Workers," January 23, 2017, <http://www.voanews.com/a/car-becomes-most-dangerous-spot-for-aid-workers/3687731.html>

### Civilian Voices: Kaga Bandoro

A 27-year old man displaced by the violence in Kaga Bandoro told CIVIC, “The events started in the quartiers with the Séléka exactions. All of the people in the quartiers had to flee. I fled with my wife and children with me by my moto[r]cycle to Bangui.” When asked about MINUSCA’s response, he said, “If they [MINUSCA] see the Séléka coming, they do not act. The Séléka patrol with their arms. They move with their weapons everywhere. Before the events, the Séléka killed a man just 500 meters from MINUSCA troops, and there was weapons fire, but MINUSCA did not move. There was no reaction.”

A 40-year old woman likewise told CIVIC, “The Séléka committed exactions (in Kaga Bandoro) and killed people and the people had to flee. I fled into the bush during the events and spent two days in the bush. I went to MINUSCA to seek protection, but I only spent one day at MINUSCA and left because of the insecurity.” The woman continued, saying, “MINUSCA has to disarm the armed groups. Living with all these weapons is not normal. Cohesion between us has to come back.”

On September 16–17, amid rising tensions between these groups, elements from the FPRC and MPC engaged anti-balaka militias in Ndomété, approximately 10 kilometers from Kaga Bandoro. The violence in Ndomété resulted in at least six civilians killed and over 3,200 people displaced. This triggered reinforcement of the area and Kaga Bandoro town by MINUSCA military contingents from Burundi and Gabon, as well as the deployment of a Rwandan formed police unit. According to a MINUSCA Human Rights Division report, MINUSCA took robust measures to protect civilians following the events in Ndomété, including establishing a “weapon-free zone in the city and surrounding area” and dismantling armed group checkpoints.<sup>15</sup>

Less than one month later, on October 12, armed fighters from the FPRC and MPC attacked the Evêché IDP site in Kaga Bandoro. The attack followed the alleged killing of an MPC fighter the previous evening. A Human Rights Watch report on the incident stated:

“Witnesses said the [MINUSCA] peacekeepers failed to stop at least 60 armed Séléka [sic] forces from crossing a UN-guarded bridge and attacking the civilians. ... Some peacekeepers opened fire, killing 12 Séléka, but could not stop other Séléka from entering the camp, attacking its residents, and burning grass huts to the ground.”<sup>16</sup>

The attack on the IDP site and ensuing violence between October 12–17 resulted in at least 37 people killed and 20,000 people displaced—the vast majority seeking shelter in the immediate vicinity of the MINUSCA base in Kaga Bandoro. While MINUSCA struggled to contain escalation, without the mission, the violence in September and October would likely have been far worse for civilians.

MINUSCA officials confirmed to CIVIC that the above-mentioned incidents in Ndomété and Kaga Bandoro triggered a Board of Inquiry (BOI) investigation. According to multiple sources, the BOI report was then provided to the Office of Military Affairs (OMA) of the Department of Peacekeeping Operations, who subsequently initiated a joint investigation with

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<sup>15</sup> MINUSCA Human Rights Division, “Special Report on Kaga Bandoro Incidents: 12 to 17 October,” December 2016, [https://minusca.unmissions.org/sites/default/files/minusca\\_report\\_kaga\\_bandoro\\_en.pdf](https://minusca.unmissions.org/sites/default/files/minusca_report_kaga_bandoro_en.pdf)

<sup>16</sup> Human Rights Watch, “Central African Republic: Deadly Raid on Displaced People,” November 1, 2016, <https://www.hrw.org/news/2016/11/01/central-african-republic-deadly-raid-displaced-people>.

the TCC in question. The report, according to officials who briefed CIVIC on the matter, was “solutions-oriented” and focused on recommendations to improve the performance of the TCC’s military contribution to MINUSCA.<sup>17</sup> The approach was cited as innovative in terms of responding to allegations of clear underperformance in collaboration with the TCC in question. The Departments of Peacekeeping and Field Support should review this approach and consider when it could be applied going forward.



## A Tale of Two Towns: Bria and Bambari

In mid-February 2015, French soldiers and MINUSCA peacekeepers, predominantly from the Moroccan Battalion, dislodged elements of the former Séléka rebel alliance from the town of Bria. The joint operation was touted as a success in assisting the former Transitional Government extend its authority into CAR’s hinterland. MINUSCA would later declare Bria a “weapons-free city”—an effort to enforce disarmament and a signal to the armed groups that their occupation had come to an end. A weapons-free zone was also implemented in Bambari in September 2015, though limited to a 12-kilometer zone along the town’s central road. However, MINUSCA has been unable to enforce the weapons-free zone policy in either Bria or Bambari—and indeed more generally wherever it has been applied. Both localities have been the focal point of serious attacks or threats to the civilian population in 2016 and early 2017 and are discussed in detail below.

<sup>17</sup> CIVIC interviews with MINUSCA officials, Bangui, December 2016.

## Bria: 'A Small War'

At approximately 7:30 a.m. on November 21, two large columns of heavily armed fighters from the FPRC coalition moved from Bria's Quartier Bourno to strategic points in the town, and eventually towards Quartier Gobolo, the stronghold of the UPC and a predominantly Peulh area of Bria town.<sup>18</sup> The ensuing clashes between the FPRC coalition and UPC, as well as between civilians affiliated with both sides who took up arms, were described to CIVIC as "a small war."<sup>19</sup> The most intense period of fighting occurred between 8 a.m. and 4:30 p.m. that day, though violence continued in the following days, moving from within Bria town to its outskirts.

Initial reports suggested a high number of casualties of unarmed civilians. A press release issued on November 25 by the UN Special Advisor on the Prevention of Genocide alleged that 85 civilians had been killed and 76 wounded. These figures were also included in initial flash reports from OCHA and circulated in media reports.<sup>20</sup> Allegations also emerged of targeted ethnic killings, in particular by the FPRC against Peulh civilians in Quartier Gobolo, directly adjacent to the MINUSCA Moroccan Battalion camp and the Bria airport. Human Rights Watch subsequently presented a lesser toll of 14 civilians and 115 combatants killed in the fighting, while also substantiating some claims of targeted attacks against civilians, including Peulhs.<sup>21</sup> Estimates provided by multiple actors to CIVIC during its assessment in Bria and Bangui ranged significantly, from 14 civilians killed to more than 200.<sup>22</sup> To date, the final toll of the violence between November 21–24, including casualties and fatalities for civilians and combatants, remains unknown. It should be noted that points of contention emerged among officials interviewed over the difficulty in distinguishing between civilians and combatants, particularly as many fighters from both sides were alleged to have worn civilian clothes during the hostilities, and allegations were made that both the FPRC and UPC were seen taking uniforms off dead combatants.

Following the initial FPRC movement toward Quartier Bourno, hostilities became particularly acute around the main hospital of Bria. Fighters from the FPRC coalition allegedly occupied the hospital the morning of November 21 and controlled the main gate. Multiple sources interviewed by CIVIC, including those at the hospital during the fighting, confirmed that FPRC fighters prevented wounded unarmed UPC fighters and Peuhl civilians from entering to receive medical care.<sup>23</sup> FPRC fighters and men in civilian clothes also reportedly forcibly removed two injured Peulh civilians and killed them outside the main entrance.<sup>24</sup> Clashes subsequently broke out in the immediate vicinity of the hospital when UPC fighters and armed Peulh civilians arrived following reports of wounded people being denied entry

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<sup>18</sup> The Peulh (or Fulani) are a minority ethnic group in CAR. They are often perceived as foreign given their nomadic or pastoralist culture, particularly by populations in the south and southwest of the country. Anti-Peulh sentiment has reached acute levels in 2016 and early 2017, particularly as hostilities have escalated between various factions of the former Séléka rebel alliance. The Peulh were targeted by anti-balaka militias in Bangui and western and central CAR during 2013 and 2014, resulting in a significant number of forcibly displaced and killed.

<sup>19</sup> CIVIC interview with humanitarian official, Bangui, December 2016.

<sup>20</sup> See, for example, "OCHA République centrafricaine (RCA) Flash Update 2: Bria - 25 novembre 2016," <http://reliefweb.int/report/central-african-republic/ocha-r-publique-centrafricaine-rca-flash-update-2-bria-25-novembre>.

<sup>21</sup> Human Rights Watch, "CAR: Civilians Killed During Clashes," December 5, 2016, <https://www.hrw.org/news/2016/12/05/central-african-republic-civilians-killed-during-clashes>.

<sup>22</sup> CIVIC interviews with MINUSCA and humanitarian officials in Bangui and Bria, December 2016.

<sup>23</sup> CIVIC interview with humanitarian officials, Bria, December 2016.

<sup>24</sup> Ibid, Human Rights Watch.

by the FPRC.<sup>25</sup> There was no MINUSCA presence in the immediate vicinity of the hospital during this time and the FPRC continued to occupy the hospital until November 24.

The violence in Bria triggered immediate and significant population movement starting at approximately 10 a.m. on November 21. At least 5,000 people moved to the immediate vicinity of two MINUSCA bases in Bria by the morning of November 22. By November 23, this number had more than doubled to over 10,000 people. A UN report obtained by CIVIC stated that on November 22, “The populations who could not leave their houses to join either IDP or safe areas are in jeopardy. Certain of them reportedly are slaughtered without any protection or assistance. Dead bodies were found around town.”<sup>26</sup> The two days of violence in Bria have had a lasting impact on civilian livelihoods and relations among the population as well as their perception of the UN.

### **Civilian Voices: Bria**

“There were more civilians killed than combatants,” a 46-year old Peulh male displaced by the violence in Bria told CIVIC. “We don’t want them [the armed groups] to fight. We are killed when the armed groups fight. The conflict affects us, the civilians.” He continued, “My house was occupied by armed men. Sixteen houses were burned and six were pillaged in the quartier. We lost everything needed to run our business.” A 45-year old local official in Bria whose name has been withheld for personal safety said in an interview with CIVIC, “The population is displaced because of all the armed men in Bria. We would not be here if MINUSCA had done its job.”

### **MINUSCA’s Response**

CIVIC was told the November 21–24 events in Bria were preventable, with warnings of escalating violence reported in advance. Multiple officials interviewed by CIVIC pointed to the progressive rearmament of Bria in advance of the former Séléka factions’ October General Assembly in Bria as particularly destabilizing. “Tensions started to mount specifically because of the presence of more and more armed men in Bria from June onward,” a MINUSCA civilian official interviewed in Bria told CIVIC.<sup>27</sup> In their final report on December 2016, the UN Panel of Experts on CAR stated that approximately 1,000 to 1,500 armed men were able to enter Bria for the General Assembly, “who generally bypassed MINUSCA checkpoints at entry points to the town.”<sup>28</sup> An internal MINUSCA memo obtained by CIVIC following the hostilities asked pointedly, “Why did we not stop them on the roads?”<sup>29</sup> Another MINUSCA official told CIVIC, “What we saw in Bria was operational collapse. ... The mission rested on its laurels.”<sup>30</sup>

The November 21 clashes in Bria were preceded by hostilities between the FPRC coalition and UPC in localities outside of the town.<sup>31</sup> Civilian officials interviewed also highlighted

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<sup>25</sup> CIVIC interview with humanitarian official, Bria, December 2016.

<sup>26</sup> Confidential report, November 2016.

<sup>27</sup> CIVIC interview with MINUSCA civilian official A, Bria, December 2016.

<sup>28</sup> The UN Panel of Experts was established pursuant Security Council Resolution 2127 (2013) to assist the work of the Sanctions Committee. See: [http://www.un.org/qa/search/view\\_doc.asp?symbol=S/2016/1032](http://www.un.org/qa/search/view_doc.asp?symbol=S/2016/1032)

<sup>29</sup> Confidential report, December 2016.

<sup>30</sup> CIVIC interview with MINUSCA official, Bangui, December 2016.

<sup>31</sup> CIVIC interviews with MINUSCA and humanitarian officials, Bria, December 2016. Clashes in Kalaga, on November 8 through November 14, were relayed to CIVIC as being particularly decisive in fomenting a more aggressive posture between the FPRC coalition and the UPC.



MINUSCA helicopters stationed at the Bria airport, located next to the base of the Moroccan contingent (December 2016) © Evan Cinq-Mars

worrying dynamics regarding incidents of incitement and inflammatory rhetoric against the Peulh population in advance of the November violence. As a MINUSCA official in Bangui told CIVIC, “Bria did give us warning about what came to pass, but we didn’t see the warnings they wanted us to.”<sup>32</sup> Indeed, MINUSCA’s civilian component in Bria undertook extensive political outreach in support of efforts to prevent hostilities before November 21, as well as supporting local mediation efforts by civil society actors. As a MINUSCA civilian official told CIVIC, “On the civilian side, we tried everything to reinforce mediation between the armed groups to prevent violence.”<sup>33</sup>

While mediation efforts can be a critically important protection activity often carried out by a mission’s civilian personnel, they may not be sufficient to deter violence and need to be coupled by the use of force or other robust activities. Unfortunately, they were not enough to prevent determined non-state belligerents from fighting in Bria. The case should be reviewed to identify whether and how the mediation could have been conducted and supported differently in order to capture lessons learned.

Serious concerns were raised to CIVIC regarding MINUSCA’s response during the initial outbreak and peak of the fighting on November 21. According to multiple sources, including MINUSCA civilian and military officials, the movement of armed columns of the FPRC triggered the withdrawal of MINUSCA posts in Bria town to their compounds.<sup>34</sup> The MINUSCA positions near the Bria hospital, occupied by the Moroccan Battalion, reportedly came under direct fire from the FPRC coalition at approximately 7:30 a.m.<sup>35</sup> As the fighting moved toward Quartier Gobolo in the south of Bria town, peacekeepers subsequently withdrew from positions near the hospital, leaving the Bria hospital undefended. As men-

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<sup>32</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

<sup>33</sup> CIVIC interview with MINUSCA civilian official, Bria, December 2016.

<sup>34</sup> CIVIC interviews with MINUSCA and humanitarian officials, Bangui and Bria, December 2016.

<sup>35</sup> Confidential report, November 2016.

tioned above, the hospital was then occupied by armed FPRC elements and became a central point in clashes between armed groups and armed civilians. MINUSCA contingents near the Bria airport and Moroccan Battalion camp reportedly responded to the FPRC advance, including by firing on them directly from armored personnel carriers. However, several MINUSCA officials confirmed that the MINUSCA checkpoint established at the entry to Quartier Gobolo was withdrawn that morning. A MINUSCA civilian official in Bria told CIVIC, “[The] Force had to leave during the fight due to the fire and the intensity of the events.”<sup>36</sup>

Interviews and testimonies corroborated by CIVIC indicated a limited MINUSCA force and police presence in the town on November 21 after approximately 9 a.m. and during November 22. According to one humanitarian official present in Bria during the fighting, “Between 0830 and 1600, we did not see a single MINUSCA vehicle except for one tour of a MINUSCA helico[pter] at around 1500.”<sup>37</sup> A MINUSCA situation report covering November 22 obtained by CIVIC corroborates this, stating, “No presence of FORCE in the city except for instance of escort. FORCE are caring for the protection of IDP[s] and its barracks, in short UN properties and personnel.”<sup>38</sup>

During active conflict, UN peacekeeping operations are often forced to make a trade-off between their mandated task of protecting UN personnel, compounds, and assets and their task of protecting civilians. Similarly, UN peacekeeping operations with limited resources must also often choose between interceding in violence and protecting the perimeter around their bases where civilians have fled for safety. However, choosing to withdraw to bases during heightened insecurity to protect the UN and civilians sheltering near them may also be used as an excuse by risk-averse UN personnel who have the capability but lack the will to intervene and mitigate or end violence. This ambiguity reinforces the need for investigations following incidents of UN personnel withdrawing to bases during violence to determine whether it was the correct action and if not, why the decision was taken and what remedial action or accountability is needed to prevent protection failures going forward.

In the case of Bria, the protection needs for UN personnel and assets were indeed elevated. UN personnel had been threatened and attacked on two occasions on November 19 and 20, and were also under threat during the initial clashes the next day.<sup>39</sup> MINUSCA also had to afford adequate protection to the approximately 10,000 people who fled to two areas near its bases—an immense protection challenge in a volatile situation. Nevertheless, a MINUSCA civilian official in Bria reiterated that there was an insufficient presence and response by MINUSCA personnel during the crisis. “Unfortunately, we did not intervene by force,” the official said. “We did not intensify our patrols, and robust action—dissuasion—didn’t happen.”<sup>40</sup>

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<sup>36</sup> CIVIC interview with MINUSCA civilian official B, Bria, December 2016.

<sup>37</sup> CIVIC interview with humanitarian official, Bria, December 2016.

<sup>38</sup> Confidential report, November 2016.

<sup>39</sup> Confidential report, November 2016.

<sup>40</sup> CIVIC interview with MINUSCA civilian official C, Bria, December 2016.



A woman walks in front of a MINUSCA armored personnel carrier in Bangui (December 2016) © Evan Cinq-Mars

MINUSCA was inhibited in its response to the crisis in Bria due to an insufficient number of military and police personnel. The presence of MINUSCA in Bria at the time of the clashes is estimated to have been approximately 300 personnel compared to a significantly larger force of FPRC and UPC fighters. Reinforcements from Gabon and Bangladesh had deployed in advance of the October General Assembly to contribute to security in Bria, but these assets were re-tasked to other areas of the country after October 19. This decision was criticized by MINUSCA civilian officials and humanitarians interviewed by CIVIC in Bria, particularly given the mounting tensions between the factions and the visible levels of polarization in town.<sup>41</sup> An appeal for reinforcements to Bria from the Sector Commander was subsequently made once again on November 21. These reinforcements arrived three days later.

During its assessment, CIVIC observed regular MINUSCA patrols and a number of posts in Bria. However, the town was still visibly under the control of the FPRC coalition and humanitarian access was constrained, particularly in the outskirts of Bria. CIVIC verified the armed occupation of public buildings by FPRC coalition fighters along the main route, as well as the visible presence of uniformed fighters openly carrying automatic rifles and light machine guns, including in the line of sight of MINUSCA personnel. Significant concerns remain regarding the freedom of movement of populations in Bria, particularly the Peulh minority group, due to ongoing insecurity and tensions between communities at the time of publication.

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<sup>41</sup> CIVIC interviews with MINUSCA officials, Bangui and Bria, December 2016.



## Preventing The Battle of Bambari?

Where MINUSCA struggled to prevent imminent harm to civilians in Bria, the mission appears to have learned lessons and applied them in response to concerning developments in Bambari. The impact of the violence in Bria was felt almost immediately in the town, with humanitarians reporting “a climate of psychosis” prevailing since November 21 and displacement of civilians on November 22.<sup>42</sup> The current tensions are also a product of hostility between the FPRC coalition and the UPC over territorial control, political grievances among the armed groups, as well as questions over the issue of identity and belonging in CAR, particularly relating to the minority Peulh population. The FPRC coalition made its intention clear to move on Bambari to dislodge the UPC, and has issued direct threats against MINUSCA that any action to deter their movement would be perceived as tacit support for the UPC, and would be met with force.

With a population of approximately 42,000 people—and as many as 26,000 IDPs— an open confrontation between the factions of the former Séléka rebel alliance similar to that which occurred in Bria would pose significant risks to civilians. Bambari is the stronghold of the UPC, estimated by UN officials to be the best-equipped faction of the former Séléka rebel alliance.<sup>43</sup> In Bambari in November, tensions mounted between the UPC and RPRC, which joined the FPRC coalition during the October General Assembly. The presence of anti-balaka militias, also heighten the risks of targeted or opportunistic violence. As one MINUSCA official told CIVIC, “Protection of civilians [risk] scenarios point to a disaster, with thousands of civilians potentially in soft targets. The cost in terms of the POC risks and our own credibility would be extremely high.”<sup>44</sup>

MINUSCA and humanitarian officials confirmed to CIVIC that updated contingency plans were put in motion after Bria, to prepare for what officials would come to call “the Battle of Bambari.” Humanitarian actors had contingency plans in place for responding to potential worst-case eventualities, including significant population movement and attacks against vulnerable sites like IDP camps, hospitals, and the water treatment facility.<sup>45</sup> A MINUSCA POC-specific contingency plan was also started following the visit of the Deputy Special Representative to the Secretary-General to Bambari on November 24.

While CIVIC was not able to independently verify the contents of the POC contingency plan, a number of elements were elaborated on in interviews. The MINUSCA POC contingency plan appears to take an integrated approach, drawing on the civilian, military and, police components of the Mission, as well as collaboration with humanitarian actors.<sup>46</sup> In particular, MINUSCA is coordinating with humanitarian actors regarding the construction of “POC safe havens” inside IDP camps to accommodate civilians fleeing there for safety. Direct political outreach has also been undertaken with the leaders and representatives of the armed groups, as well as community leaders, to advocate against armed hostilities. Ac-

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<sup>42</sup> See Office for the Coordination of Humanitarian Affairs, “OCHA-CAR Flash update 1, Bria—22 novembre 2016,” [http://reliefweb.int/sites/reliefweb.int/files/resources/rca\\_ocha\\_161122\\_flash\\_update\\_bria.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/rca_ocha_161122_flash_update_bria.pdf) (French).

<sup>43</sup> CIVIC interviews with MINUSCA official, CAR expert, Bangui, December 2016. One MINUSCA official estimated that the UPC is constituted by as many as 500 men in Bambari alone.

<sup>44</sup> CIVIC interview with MINUSCA officials, Bangui, December 2016.

<sup>45</sup> CIVIC interview with UN humanitarian official in Bambari (via telephone), December 2016. Officials interviewed noted that contingency plans in Bambari were more refined because Bambari had been “tested” by crises more so than Bria had.

<sup>46</sup> Despite this, some humanitarian actors expressed concerns to CIVIC that the information shared by MINUSCA was insufficient. Certain concerns were also raised with the evacuation of MINUSCA and UN personnel at an early stage of the crisis.

ording to officials, MINUSCA and humanitarian actors have also coordinated directly with communities to develop specific protection plans in the event of violence.

The MINUSCA Force Commander also issued directives to UN troops to take offensive and defensive action to protect civilians. Red lines were set and communicated by the MINUSCA Force Commander to the armed groups, stating clearly that any armed group advancing within 40 kilometers of Bambari would be fired upon. As one MINUSCA military official told CIVIC, “We are doing everything we can to prevent fighting from entering Bambari.”<sup>47</sup> MINUSCA has deployed additional personnel and assets to Bambari to reinforce the mission’s military and police presence, and defensive positions have also been placed at strategic points in the town. The Mission has also used attack helicopters to fire on armed elements near or approaching designated red lines.<sup>48</sup> On February 1, the Force Commander issued a statement that read: “[MINUSCA] will not allow the crisis between armed groups in the region of Bambari to lead to a war in the city.”<sup>49</sup> On February 11, MINUSCA used attack helicopters to halt the advance of approximately 300 FPRC elements moving toward Ippy, northeast of Bambari. These are good practices that may be appropriate to implement to deter armed groups and protect civilians in CAR.

The decisive steps taken by MINUSCA to address protection threats facing civilians in Bambari have so far deterred violence. The situation in the surrounding area of Bambari, however, particularly near Ippy and Bakala, continues to deteriorate because of hostilities between the FPRC coalition and UPC. Access to these areas has been difficult, leading to challenges in verifying the toll on the civilian population.<sup>50</sup>

## Challenges in Protecting Civilians

The first year of the MINUSCA mandate was marked by a difficult transition from MISCA and challenges in deploying and staffing the mission. Widespread allegations of sexual exploitation and abuse by UN and non-UN forces in CAR have rightly consumed substantial mission resources. Furthermore, the vast majority of MINUSCA’s capacity was diverted to delivering and securing local and national consultative processes in advance of Presidential and legislative elections in 2015 and 2016. MINUSCA faced these challenges head on while also trying to respond to an acute protection crisis in the midst of an active armed conflict with significant population displacement. MINUSCA’s civilian, military and police components have saved countless lives in the execution of its mandate since September 2014. However, the cost of protecting civilians has often been high, not only for MINUSCA personnel, but also for the humanitarian community and local civil society.

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<sup>47</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>48</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>49</sup> See MINUSCA, “Le redéploiement de la Force de la MINUSCA est une réponse à la problématique des groupes armés,” February 1, 2017, <https://minusca.unmissions.org/le-red%C3%A9ploiement-de-la-force-est-une-r%C3%A9ponse-%C3%A0-la-probl%C3%A9matique-des-groupes-arm%C3%A9s>. (French. Translated by the author).

<sup>50</sup> OCHA, “24 janvier 2017—Hotspots (Zone Est, Ouest, Centre),” [http://reliefweb.int/sites/reliefweb.int/files/resources/2017.01.24\\_HotSpots.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/2017.01.24_HotSpots.pdf).



A MINUSCA peacekeeper stands in a guard tower above the PK5 market area in Bangui's 3<sup>rd</sup> arrondissement (December 2016) © Evan Cinq-Mars

MINUSCA continues to face many challenges in protecting civilians, including a lack of troops and capacity, the significant lack of state presence throughout the country, and the number of locations where civilians are under threat. MINUSCA personnel highlighted a number of other factors that the UN Security Council, mission leadership, TCCs, and PCCs could try to address to strengthen the mission's ability to protect civilians. These included a lack of clear prioritization of protection tasks in the mission's mandate; a significant shift in presence and strategy in the new CONOPS for MINUSCA's military component; uneven or inadequate preparedness and capabilities across the mission to protect civilians; insufficient monitoring, evaluation, and accountability of protection performance; the implementation of the Urgent Temporary Measures provisions of the mandate; and mission analysis and planning.

### **Context and Capacity**

The context in which MINUSCA is deployed is perhaps the most significant obstacle for the Mission. Three elements are important in this regard: first, the extremely limited capacity of CAR to maintain law and order and provide protection to civilians, particularly outside the capital; second, the motivation of non-state armed groups to perpetrate targeted violence against civilians; and third, the number and geographic spread of the protection threats compared to MINUSCA's size and limited capacity to respond.

In terms of national capacity, MINUSCA is operating in an environment unparalleled among current UN peacekeeping operations with 60 percent of the country not controlled by the government. The Government of CAR has extremely limited functional capacity outside of Bangui and is largely unable to provide immediate protection for its own civilian population. MINUSCA has effectively supplanted the state in this regard, leading to heightened expect-

tations of MINUSCA amongst the population. The mission has struggled to manage these expectations, particularly with respect to communicating directly with communities about what MINUSCA can—and cannot—achieve.<sup>51</sup> Furthermore, MINUSCA has also become a target of certain government officials, elites, and community leaders, who actively stoke anti-MINUSCA sentiment among populations for the advancement their own agendas. During the protests in Bangui in October, for example, civilian protesters were allegedly calling for the departure of personnel from as many as 11 contingents, as well as several MINUSCA officials. While obstruction of MINUSCA is minimal compared to other UN peacekeeping operations, the UN Panel of Experts has noted recurrent incidents of national security forces hindering MINUSCA's movements.<sup>52</sup>

Challenges with host-state capacity and responsibility are compounded by the determination of the armed groups to gain territory and pursue their objectives through targeted violence against civilians. Numerous MINUSCA officials highlighted the challenges facing the mission in interposing itself between armed belligerents committed to engaging in hostilities, including in civilian populated areas. Here, concerns were raised regarding potential negative consequences of robust action, such as forcible disarmament by MINUSCA to deter armed groups' activities or respond to those elements that refuse or fail to lay down their weapons. In the words of one MINUSCA military official, "When the armed groups decide to fight, it becomes very messy."<sup>53</sup> Furthermore, when facing belligerent forces and general insecurity, MINUSCA has also struggled to implement its mandated task of providing a safe and secure environment for the delivery of humanitarian assistance. Limited access is particularly acute in Ouaka prefecture as a result of clashes between factions of the former Séléka alliance and in the northwest due to violence perpetrated by 3R and anti-balaka militias. "We can't establish a minimum level of security to allow humanitarians to operate. This is a sign that we are failing," a MINUSCA official told CIVIC.<sup>54</sup>

MINUSCA officials also expressed concern with the number of emerging or existing hotspots that include threats to civilians and the capacity and resource strain this puts on the mission. "MINUSCA has become a firefighter that has too many fires to put out," according to a UN humanitarian official, "and without additional personnel, I do not think MINUSCA is going to be able to protect civilians as they should."<sup>55</sup> Several MINUSCA officials highlighted challenges in responding to more than two or three acute protection crises, noting the difficulties in mounting adequate and integrated responses to the situations in Bria, Bambari, Kaga Bandoro, Kouï, and Bocaranga at the same time. Indeed, the situation in the northwest, particularly in Kouï and Bocaranga, as well as in Kabo and Batangafo, have been of concern for the Mission since September 2016, but MINUSCA has not been able to devote sufficient resources to each of these locations.<sup>56</sup>

Several officials interviewed by CIVIC highlighted the insufficient number of personnel, given the size of the country and the number of threats to civilians. The geographic area of CAR is almost 623,000 km<sup>2</sup>—roughly the size of France, Belgium, and the Netherlands

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<sup>51</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016. Multiple individuals from MINUSCA, the UN Humanitarian Country Team, humanitarian agencies and the diplomatic community highlighted problems with MINUSCA's strategic communication.

<sup>52</sup> Final report of the Panel of Experts on the Central African Republic (S/2016/1032), December 5, 2016, [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2016/1032](http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/1032).

<sup>53</sup> CIVIC interview with MINUSCA military official, Bria, December 2016.

<sup>54</sup> CIVIC interview with MINUSCA civilian officials, Bangui, December 2016.

<sup>55</sup> CIVIC interview with UN humanitarian official, Bangui, December 2016.

<sup>56</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

combined. MINUSCA has approximately 12,135 uniformed personnel, including 10,032 military personnel, to cover this immense territory. The eastern sector of the country alone is approximately 249,000 km<sup>2</sup> and by some estimates has a population of approximately 110,000 people.<sup>57</sup> At the time of publication, MINUSCA had approximately 1,300 uniformed personnel deployed in that sector. By contrast, there are over 10,500 military personnel deployed with the UN Interim Force in Lebanon in an area of approximately 1,000 km<sup>2</sup>. In the words of a MINUSCA military official, “We need two times the number of personnel if you really want to have an impact here, especially in protecting civilians and tackling the armed groups.”<sup>58</sup>

### **Interpretation and Viability of the Mandate**

In July 2016, following a strategic review initiated by the Secretariat, the Security Council renewed MINUSCA’s mandate for a period of 18 months until November 2017. With respect to the protection of civilians, which is the first immediate priority outlined in Resolution 2301, the Security Council called on MINUSCA to maintain, “a proactive deployment, a mobile and flexible posture, and active patrolling” in executing its mandate.<sup>59</sup> The resolution also calls on the mission to identify and report threats against civilians and implement prevention and response plans, and specific concerns for the protection of women and children are also integrated into the mandate.

While POC is one immediate priority task, Resolution 2301 sets out three other immediate priority tasks, four core priority tasks, two essential tasks, and five additional tasks for MINUSCA. The immediate and core priority tasks, as well as essential tasks, also have a range of one to eight associated sub-tasks. All together, Resolution 2301 contains 47 tasks for MINUSCA. At least eight additional tasks are also spelled out in the mandate, including, for example, on communicating with the local population, enhancing operational coordination with the African Union Regional Task Force on the Lord’s Resistance Army, and assisting the political efforts of the AU, ECCAS, UNOCA and the Group of Eight (G8-RCA).<sup>60</sup>

Multiple MINUSCA officials, while noting the immediate priority given to POC, expressed concern with additional tasks taking away from immediate POC needs and objectives. In the words of one MINUSCA civilian official, “The mandate sets us up for failure. We can’t stop everything going on and spoilers across the country are manipulating that.”<sup>61</sup> A UN humanitarian official also told CIVIC: “The mission will be lost with its mandate. POC is linked to many different issues and is whole-of-mission. How do you decide between immediate, core, urgent and essential? There are too many tasks.”<sup>62</sup>

With respect to the armed groups, Resolution 2301 affirms MINUSCA’s strategic objective as supporting the creation of conditions conducive to the sustainable reduction of the presence of, and threat posed by, armed groups through a comprehensive approach and a proactive and robust posture. Four priority tasks are set out in this regard, one of which includes tasking MINUSCA to “actively seize, confiscate and destroy, as appropriate, the

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<sup>57</sup> See, for example, Oxfam International, “Centrafrique: des zones non protégées,” October 2016, <https://www.oxfam.org/sites/www.oxfam.org/files/bp-unprotected-zones-car-281016-fr.pdf>.

<sup>58</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>59</sup> S/RES/2301, July 26, 2016, <https://www.un.org/press/en/2016/sc12462.doc.htm>

<sup>60</sup> Ibid.

<sup>61</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

<sup>62</sup> CIVIC interview with humanitarian official, Bangui, December 2016.



Peacekeepers from Senegal carry the body of their colleague during an honor ceremony in Bangui (March 2017) © MINUSCA

weapons and ammunitions of armed elements, including all militias and other non-state armed groups, who refuse or fail to lay down their arms.”<sup>63</sup>

Generally, MINUSCA officials interviewed by CIVIC did not interpret this element of the mandate as permitting the mission to conduct forced disarmament of the armed groups. Concerns were raised with regard to robust action, including forcible disarmament, potentially causing negative consequences for civilian populations and the UN. Nevertheless, numerous officials from different mission components expressed frustration with the current status quo regarding disarmament, particularly following the events in Kaga Bandoro and Bria and the evolving situation in Bambari. As one MINUSCA civilian official stated to CIVIC, “We should be disarming the armed groups. They will continue to have the upper hand against the mission if that doesn’t happen.”<sup>64</sup>

CIVIC’s research highlighted that there is a further lack of clarity within the mission about what the UN Security Council, UN headquarters, and MINUSCA leadership expect regarding disarmament and the strategic objective. The research also revealed significant differences among mission personnel about whether disarmament would contribute to or undermine the protection of civilians. Peacekeeping disarmament efforts in other contexts have had mixed results.<sup>65</sup> If conducted in an ad hoc manner, disarmament efforts could change the balance of power between armed actors and make certain communities under

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<sup>63</sup> S/RES/2301.

<sup>64</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

<sup>65</sup> Jared Ferrie “Disarmament Sparks Violence in South Sudan,” Inter Press Service, May 4, 2012.

threat more vulnerable to attack. Research has also revealed that UN peacekeeping missions may not be well trained or equipped to secure and/or destroy weapons seized.<sup>66</sup>

### **From Concept to Operations**

A number of officials from different components of MINUSCA, as well as from the humanitarian and diplomatic communities, highlighted challenges regarding the mission's ability to implement its new Concept of Operations (CONOPS) for the military component and the impact this may have on POC. The new CONOPS, adopted after a strategic review of the mission in 2016 and the new mandate outlined in Resolution 2301, is expected to allow MINUSCA to adopt a more mobile and flexible posture in the implementation of its mandate.

MINUSCA military and civilian officials highlighted the logical nature of the new CONOPS. The initial MINUSCA CONOPS relied on projecting presence through temporary operating bases (TOBs). This, however, encountered operational and tactical problems. One example CIVIC learned of was a MINUSCA battalion deployed in western CAR that had established a large number of TOBs with no sufficient Force reserve or sustainment capability; this, among other issues, affected its ability to react. As one MINUSCA military official highlighted to CIVIC, "TOBs with just 10 or 15 peacekeepers couldn't do anything when a group of armed men entered their area of responsibility."<sup>67</sup> The new CONOPS require the mission to shift from TOBs to larger, consolidated bases. According to MINUSCA officials, this will improve MINUSCA's ability to rest, resupply, and rotate its own personnel, enhancing the Mission's ability to adopt a more mobile and responsive posture, including through patrolling.

Despite the apparent advantages of MINUSCA's new CONOPS, the state of CAR's infrastructure—namely its roads and bridges—presents a primary challenge to its practicality. The vast majority of the road network is not conducive to rapid land mobility, particularly during and immediately after the rainy season, which inhibits reaction time, as well as sufficiently rapid reallocation of assets and personnel. "The main issue that we have is mobility," one MINUSCA military official told CIVIC. "We can only respond as fast as the roads allow us. Sometimes it can take us six hours to drive 60 kilometers."<sup>68</sup> A MINUSCA civilian official, further emphasizing the infrastructure challenge to the new CONOPS, stated: "Long-range patrols from larger bases are going to be long, not fast. We need to ensure we manage expectations around this."<sup>69</sup> The mission has made changes to its structure to accommodate some of the challenges mentioned above, including by rotating in additional engineering companies to build and repair roads and bridges to improve accessibility and mobility.

Furthermore, Portugal recently deployed 160 army commandos to Bangui to serve as the MINUSCA Quick Reaction Force (QRF) to respond to crisis situations. The QRF and a contingent of Special Forces from Bangladesh were subsequently deployed to Bambari in February as part of MINUSCA's ongoing efforts to prevent violence in the town. The Portuguese QRF has reportedly engaged in direct combat with armed groups advancing on

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<sup>66</sup> Eric G. Berman and Mihaela Racovita, "Under Attack and Above Scrutiny? Arms and Ammunition Diversion from Peacekeepers in Sudan and South Sudan, 2002–14," *Small Arms Survey*, 2015.

<sup>67</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>68</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>69</sup> CIVIC interview with MINUSCA civilian officials, Bangui, December 2016.

Bambari, and, according to the MINUSCA Force Commander, inflicted heavy casualties in its operations.<sup>70</sup>

Humanitarian actors also expressed concerns to CIVIC about the new CONOPS, particularly the impact on the civilian populations of closing MINUSCA TOBs. As one humanitarian official said, “Patrols are not enough. There needs to be a presence. Communities are still trapped in the hands of the armed groups. Populations will tell us that they don’t want MINUSCA to just pass, they want MINUSCA there with them.”<sup>71</sup> Another humanitarian official added, “By closing TOBs, you lose both the ‘operating’ and ‘observation’ capabilities that those brought.”<sup>72</sup> A MINUSCA civilian official further added, “The new CONOPS will be complicated because there is a tradeoff between it and being here and present on the ground.”<sup>73</sup> Several MINUSCA officials confirmed that a posture of more active patrolling would indeed have to include more regular long-range patrols and overnight patrolling. However, multiple officials interviewed by CIVIC pointed to the adaptability of the armed groups and their knowledge of the terrain as another challenge to “active patrolling.” In the words of one MINUSCA official, “The armed groups use trails and off-road to move past MINUSCA checkpoints and patrols on the main routes. How will we adapt for this?”<sup>74</sup>

### **Preparedness and Training to Protect Civilians**

The mission’s recent response to crises in Bria and Bambari, as well as the ongoing volatility of the situation country wide, lends credence to the need—and value—of enhanced contingency planning and preparedness exercises. Indeed, as numerous officials told CIVIC, a factor in the discrepancy in responding to the crisis in Bria was the lack of preparedness on the part of mission components to respond to such a situation.<sup>75</sup> The contingency plans in Bambari, particularly those initiated around POC, have contributed to a higher level of awareness, preparedness, and response. However, MINUSCA officials cited inadequate capacity and resources as constraints for conducting regular contingency planning and scenario-based table-top exercises.<sup>76</sup> As one MINUSCA official in Bangui told CIVIC, “We don’t really do contingency planning [across the mission]. It costs money and takes time.”<sup>77</sup> While priority must be given to mobilizing responses, particularly to POC threats, an investment in integrated and coordinated contingency planning could contribute to strengthening the mission’s capacity to respond to anticipated or emerging crisis situations.<sup>78</sup>

In terms of training, numerous officials interviewed recognized challenges to ensuring a sufficient level of in-theater training on POC and human rights for civilian, military and police personnel.<sup>79</sup> As one MINUSCA civilian official told CIVIC, “We need to get them as soon as

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<sup>70</sup> “President congratulates Portuguese commandos in Bambari,” The Portugal News Online, March 9, 2017, <http://www.theportugalnews.com/news/president-congratulates-portuguese-commandos-in-bambari/41303>.

<sup>71</sup> CIVIC interview with humanitarian official, Bangui, December 2016.

<sup>72</sup> CIVIC interview with humanitarian official, December 2016.

<sup>73</sup> CIVIC interview with MINUSCA civilian official, Bria, December 2016.

<sup>74</sup> CIVIC interview with MINUSCA civilian official, Bria, December 2016.

<sup>75</sup> CIVIC interview with MINUSCA civilian officials, Bangui and Bria, December 2016.

<sup>76</sup> CIVIC interview with MINUSCA civilian officials, Bangui, December 2016.

<sup>77</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

<sup>78</sup> MINUSCA could draw on the lessons from findings of the Independent Special Investigation established following the violence in Juba, South Sudan, in July 2016, which states that all Missions “should have rigorous contingency plans in place that are regularly rehearsed through table-top exercises and rehearsals.” See Executive Summary of the Independent Special Investigation into the violence which occurred in Juba in 2016 and UNMISS response, November 1, 2016, [http://www.un.org/News/dh/infocus/sudan/Public\\_Executive\\_Summary\\_on\\_the\\_Special\\_Investigation\\_Report\\_1\\_Nov\\_2016.pdf](http://www.un.org/News/dh/infocus/sudan/Public_Executive_Summary_on_the_Special_Investigation_Report_1_Nov_2016.pdf).

<sup>79</sup> CIVIC interview with MINUSCA officials, Bangui, December 2016.



they arrive, but it’s hard to say that happens systematically.”<sup>80</sup> Similarly, interviewees raised concerns about resource constraints that prevent sufficient crisis preparedness exercises. Given the constraints of in-theater training, numerous officials highlighted the importance of increased and improved pre-deployment training, particularly for TCCs and PCCs. According to one MINUSCA military official, “Training is one of our main challenges. The troops [we have] have not been properly trained [on POC] before they arrive. There is a lack of clear guidance on how to protect civilians, and they don’t understand exactly how to do it yet in practice.”<sup>81</sup> The issue of training is particularly acute given some of the challenges relating to performance on POC, which are examined below.

### Protection Performance, Monitoring, and Evaluation

Numerous officials said that an inconsistency of contingents’ capabilities, particularly in regard to the implementation of POC tasks, is a serious challenge. Forty-nine countries contribute military or police personnel to MINUSCA. Four of these countries are new to peacekeeping—Cameroon, Mauritania, Republic of Congo and Zambia—and comprise approximately 15 percent of the mission’s military and police personnel.

Perceptions also varied regarding MINUSCA TCCs and PCCs with respect to their ability and willingness to provide proactive and robust protection. “Whether the contingents act robustly will depend on the culture of the troops,” said one MINUSCA military official, who also added the importance of training, equipment, and experience.<sup>82</sup> However, MINUSCA officials stressed the challenges of where TCCs and PCCs were deployed in relation to performance, particularly in measuring ability and willingness to protect civilians in a highly variable—and challenging—threat environment.

MINUSCA TCCs and PCCs		
Country		Personnel
1.	Rwanda	1,302
2.	Egypt	1,168
3.	Pakistan	1,132
4.	Bangladesh	1,081
5.	Cameroon	1,063
6.	Mauritania	878
7.	Burundi	826
8.	Rep. Congo	787
9.	Morocco	770
10.	Zambia	750

Given the challenges MINUSCA has experienced regarding performance, POC implementation should be monitored and evaluated more systematically. The Department of Peacekeeping Operations’ Office of Military Affairs recently instituted a new policy that requires Force and Contingent Commanders to regularly evaluate the performance of their subordinate troops in the field and relay these findings back to UN and force headquarters respectively as well as the TCC’s military headquarters at home.<sup>83</sup> The intention of the policy is to create a system that identifies performance issues and feeds the information back to the TCC and UN headquarter stakeholders so they can take remedial action. DPKO should also be managing and analyzing this information at UN headquarter

to improve its capacity to ensure TCC accountability, including the replacement and repatriation of units that demonstrate a pattern of underperformance.

<sup>80</sup> CIVIC interview with MINUSCA civilian officials, Bangui, December 2016.

<sup>81</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016.

<sup>82</sup> CIVIC interview with MINUSCA military official. Language skills were also cited as an important factor in performance, particularly in terms of interaction with communities. A discrepancy exists within MINUSCA between the military and police components. The majority of the formed police units speak French, whereas four of MINUSCA’s top TCCs don’t speak adequate French.

<sup>83</sup> United Nations Department of Peacekeeping Operations Department of Field Support, “Operational Readiness Assurance and Performance Improvement Policy,” December 2015.



A MINUSCA Formed Police Unit patrols Bangui (January 2017) © MINUSCA

The UN Police Division should ensure their policies and practices result in similar systematic reviews with feedback loops to PCCs. The civilian component is as important to the delivery of POC mandates as the uniformed personnel. Although DPKO and DFS have taken steps to develop indicators to assess a mission's implementation of its POC mandate, it has a long way to go to determine how these indicators should apply to assessing civilian components and ensuring assessment findings are linked to decisions related to mission planning and budgeting and the recruitment, training, and management of civilian staff. Finally, the effective implementation of POC mandates requires an integrated mission-wide approach and as such, DPKO and DFS also need to improve how POC indicators are included in mission-wide assessments and evaluations and linked to mission planning and design, and budgeting decisions and the selection, training, and performance management of senior mission leadership.

Monitoring and evaluating POC performance should not focus on protection failures alone. Member States have long called on the Secretary-General to systematically capture good practices. There are examples of MINUSCA personnel—civilian, police and military—proactively implementing their mandate to protect civilians from immediate threat of physical violence or to create a more safe and secure environment. On January 25, for example, MINUSCA military personnel intervened in a situation in the central market of Bria, where a young boy was in immediate danger of being killed by members of an armed group.<sup>84</sup> These examples—stories of proactive and robust protection by UN personnel—should be systematically tracked, analyzed and reported on. This will improve understanding of how

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<sup>84</sup> OCHA Humanitarian Bulletin, January 30, 2017.

POC can be implemented effectively, and can contribute to the building of scenario-based training that will better inform and prepare UN personnel charged with protecting civilians.

### **Urgent Temporary Measures**

An important element within MINUSCA's mandate since its deployment has been the authority to execute Urgent Temporary Measures (UTMs) in support of the Government of CAR and against impunity for serious violations and abuses of international humanitarian and human rights law. These provide MINUSCA with the authority to arrest and detain individuals, with particular attention to those undermining peace, impeding either the political process or the stabilization and reconciliation process, or inciting violence. The mandate also grants MINUSCA the authority to apprehend and hand over to the Government those in the country responsible for human rights abuses and violations of international humanitarian law.

According to a recent report by Amnesty International, MINUSCA has arrested approximately 384 people suspected of crimes related to the conflict between September 2014 and October 2016.<sup>85</sup> However, MINUSCA officials acknowledged numerous setbacks in the execution of this element of its mandate, particularly the large prison break that occurred in September 2015 when approximately 700 inmates escaped during an attack on the facility.<sup>86</sup> MINUSCA officials also cited the challenge of executing UTMs given the state of the judicial system in CAR, particularly a lack of adequate detention facilities and the inability to conduct investigations and try cases. This problem has been worsened by delays with the establishment of the hybrid Special Criminal Court,<sup>87</sup> which is intended to prosecute the most serious crimes committed in CAR since 2003.

MINUSCA has faced challenges in following through on its stated intention to arrest individuals under warrants issued by the Government of CAR. In Bria, for example, MINUSCA signaled publicly that it would arrest three individuals if they arrived in the town for the October General Assembly. However, at least two of those individuals—Abdoulaye Hissene and Haroun Gaye—entered and left Bria without being arrested. Hissene and Gaye have evaded arrest on multiple occasions since August 2015.<sup>88</sup> MINUSCA's inability or unwillingness to arrest these individuals has negatively affected the population's perceptions of MINUSCA, and is used by Government officials to stoke anti-MINUSCA sentiment. The ability of the leaders of various armed groups to continue to operate in a climate of impunity contributes to ongoing cycles of violence that undermine peace and pose a direct threat to civilians.

### **Planning and Analysis: A Whole-of-Mission Approach**

CIVIC's assessment sought to investigate good practices and success stories of MINUSCA's implementation of its POC mandate since its deployment. Mission-wide planning and analysis efforts are among these good practices that could be expanded on in the mission.

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<sup>85</sup> Amnesty International, "The Long Wait for Justice: Accountability in the Central African Republic," January 11, 2017, <https://www.amnesty.org/en/latest/news/2017/01/car-urgent-need-to-rebuild-justice-system-as-war-crime-suspects-roam-free/>.

<sup>86</sup> CIVIC interview with MINUSCA civilian official, Bria, December 2016.

<sup>87</sup> In June 2015, the transitional government adopted a law that created the Special Criminal Court, which would be composed of national and international judges and prosecutors, to prosecute cases of grave human rights violations committed in CAR since 2003.

<sup>88</sup> Abdoulaye Hissene and Haroun Gaye are important figures in the FPRC coalition. Gaye is sanctioned by the UN Security Council. Both individuals are under arrest warrants issued by the Government of CAR.

MINUSCA has substantive mechanisms in place to analyze and respond to POC threats, particularly in Bangui. This includes the Senior Management Group-Protection (SMG-P), which convenes MINUSCA's top leadership at mission headquarters on a weekly basis. MINUSCA also has a mission-wide Protection Working Group (PWG), which includes working-level mission staff from several offices and mission components providing technical advice and recommendations on POC. MINUSCA's Joint Operational Planning Team, which includes the SMG-P and the PWG, guides POC operational planning.<sup>89</sup> MINUSCA also has a POC unit, which is composed of three civilian staff specialists, that reports to the DSRSG-Political and provides strategic advice and guidance on POC across civilian, military and police components. The Joint Mission Analysis Center collects information and provides integrated, forward-looking analysis based on trends, and develops the Protection Flashpoint Mapping. The Flashpoint Mapping provides a weekly review of protection hotspots and analysis that provides the basis for recommendations for MINUSCA POC activities.

MINUSCA could further develop these mechanisms in locations outside of Bangui to address the discrepancy highlighted by mission officials that exists between the capability to provide protection in Bangui compared to CAR's interior. In particular, a priority should be placed on reinforcing POC-related skills and coordination within the mission, including by recruiting and deploying additional POC officers to sector headquarters and field offices to support coordination on responses to POC threat scenarios or situations.

MINUSCA leadership has also proactively travelled from Bangui to the interior of the country, particularly before, during, and after crisis situations. The use of mission leadership to deliver strong messages to perpetrators of violence should be commended and expanded. Depending on the actors involved, joint delegations of uniformed and civilian leadership could be effective. Additionally, MINUSCA leadership conducts Joint Protection Team (JPT) missions alongside national or local officials to areas of concern. JPTs are multi-sectoral teams that collect information and help to cultivate relationships with local communities. These missions also open opportunities to better understand protection threats and jointly devise community-based protection plans, as well as augment external actors' understanding of MINUSCA's POC strategy.

MINUSCA has also sought to incorporate new technologies where possible to enhance its information and intelligence-gathering capabilities. Surveillance balloons are deployed in Bangui, which relay real-time video feeds to the Military Operations Center. MINUSCA officials said these surveillance balloons were instrumental in identifying and apprehending those responsible for the killing of Maj. Marcel Mombeka of the Forces Armées Centrafricaines. The incident was captured on video as it unfolded.<sup>90</sup> Small-range unmanned aerial vehicles (UAVs) have also been used in Bria and Kaga Bandoro to map population displacement in these areas. The mission is also planning to receive longer-range UAVs, which could help to improve intelligence, surveillance, and reconnaissance capabilities.

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<sup>89</sup> CIVIC interview with MINUSCA official, Bangui, December 2016. The SMG-P meets weekly, and includes officials from MINUSCA, OCHA, UNHCR and UNICEF. MINUSCA officials confirmed that the Interational Committee of the Red Cross was also invited to participate in SMG-P meetings.

<sup>90</sup> CIVIC interview with MINUSCA military official, Bangui, December 2016



A MINUSCA peacekeeper stands guard in Bambari. (MINUSCA, March 2017)

## Conclusion

Since its deployment in September 2014, MINUSCA has faced significant challenges as it has sought to respond to an armed conflict deeply rooted in CAR's long history of insecurity and vulnerability. The challenges include operating in a difficult national and regional political environment, supporting a host-state with extremely limited capacity, and seeking to deter armed groups whose leaders have been active long before MINUSCA deployed in the country and who rely on violent tactics targeting civilians. Despite these challenges, MINUSCA personnel relayed their commitment to protecting civilians. One MINUSCA civilian official told CIVIC, "If we do nothing else, we protect civilians."<sup>91</sup>

Since the first resolution authorizing the deployment of MINUSCA, the UN Security Council has included the protection of civilians among MINUSCA's priority tasks. Despite subsequent efforts by the Security Council to clarify how MINUSCA should prioritize and phase mandated tasks, MINUSCA personnel still report that the number of tasks and the mandate language undermines the effective allocation of resources for protection activities. MINUSCA's leadership should immediately clarify that the protection of civilians from the threat of physical violence is the mission's number one priority and ensure that military, police, and civilian resources are adequately allocated to that task. When taking these decisions, the Mission must also put a high priority on determining how it can contribute to conditions conducive for the safe, impartial, and independent delivery of humanitarian assistance – conditions that MINUSCA officials, humanitarians themselves, have lamented do not exist across significant areas of the country. The Security Council should also consider how to

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<sup>91</sup> CIVIC interview with MINUSCA civilian official, Bangui, December 2016.

further clarify their prioritization and sequencing of tasks when they renew the mission's mandate in November 2017.

MINUSCA will also need to learn and apply lessons from its implementation of weapons-free zones in Bria, Bambari, Kaga Bandoro and elsewhere. Failures to effectively enforce these zones have undermined the credibility of the Mission in the eyes of the population. Reports indicate that arms have actually increased in some of these weapons-free zones. Armed actors allowed to operate freely in these areas have reportedly armed others within the zones. MINUSCA should also seek to capture good practices from its evolving response to the situation in Bambari and surrounding areas, which, to date, has contributed to the prevention of a worst-case scenario for the town's 42,000 inhabitants.

The Mission must also invest in ensuring better performance and preparedness to protect civilians. This should include enhanced reporting on the impact of the implementation of the POC mandate to the Secretary-General and the Security Council. MINUSCA and TCCs and PCCs must systematically investigate and transparently report to UN headquarters instances of underperformance and the failure of uniformed personnel to follow directions from mission leadership. The UN Secretary-General should also be sharing performance information and findings of investigations with appropriate Member States, including UN Security Council members and the TCCs and PCCs concerned, as well as publishing findings in a transparent manner. Egregious mission failures may warrant independent investigations and/or verification to capture lessons learned and ensure appropriate remedial and accountability measures. Where there are patterns of underperformance by military or police units, the UN Secretariat should work with the TCC or PCC in question and with other Member States to replace the unit(s) in question.

MINUSCA TCCs and PCCs must also ensure that their contingents are appropriately trained, equipped and willing to deliver on the mandate prior to and during deployment. In-theatre training, contingency planning and scenario-based exercises, particularly focused on protecting civilians, should also occur well beyond the levels at which they are presently conducted within the Mission.

The Central African Republic will require sustained attention by the UN Security Council in advance of the MINUSCA mandate renewal in November 2017, particularly given the level of volatility across the country. Attention should be fixed on MINUSCA's ability to deliver on its priority task of protecting civilians and the achievement of its strategic objective—the reduction of the presence of armed groups through a comprehensive approach. The Council must also be able to react to changes in the situation, including augmenting the personnel ceiling if the deterioration since mid-2016 continues amid the uncertain national and regional political dynamics.

Overall success of the MINUSCA mandate will ultimately depend on the willingness of national actors, particularly the Government and armed groups, to disavow violence and move forward on issues like disarmament, demobilization and reintegration, security sector reform, reconciliation, and accountability. Meaningful progress requires sustained political and financial support of MINUSCA, as well as concerted political and financial engagement in CAR by key Member States, including the Security Council and neighboring countries, international financial institutions, and development and humanitarian agencies in the peaceful resolution of the unprecedented conflict that has gripped CAR since 2012.



**RECOGNIZE. PREVENT. PROTECT. AMEND.**

## **ABOUT THE REPORT**

Since its initial authorization by the United Nations Security Council in 2014, the protection of civilians has been one of the priorities of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic, or MINUSCA. CIVIC travelled to Bangui and Bria in December 2016 to assess the implementation of MINUSCA's protection of civilians mandate, speaking with civilians, officials from the UN mission, humanitarian organizations and diplomats. This report provides a background on the protection crisis in CAR, drawing on three cases and others to highlight challenges and good practices in the implementation of the mission's mandate. It offers recommendations to the mission, the UN Secretariat, the Security Council, and troop and police contributing countries to improve the protection afforded to CAR's vulnerable civilians.

## **ABOUT CENTER FOR CIVILIANS IN CONFLICT**

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**T** +1 202 558 6958  
**E** [info@civiliansinconflict.org](mailto:info@civiliansinconflict.org)  
[civiliansinconflict.org](http://civiliansinconflict.org)