



## State of Anarchy Rebellion and Abuses against Civilians

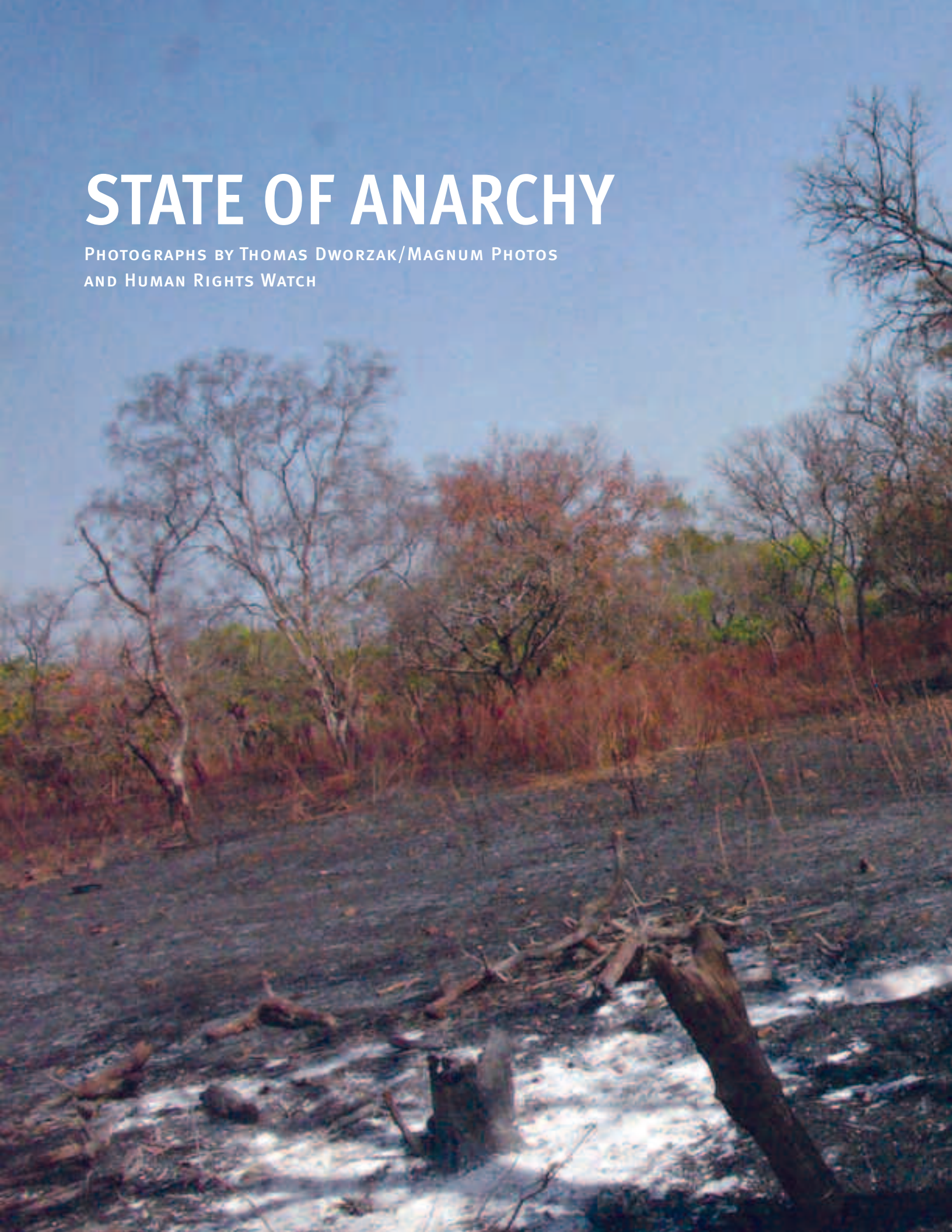
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## Summary and Recommendations

# STATE OF ANARCHY

PHOTOGRAPHS BY THOMAS DWORZAK/MAGNUM PHOTOS  
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Civilian homes along the Paoua-Boguila road  
burned by government forces.

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# STATE OF ANARCHY

## Rebellion and Abuses Against Civilians

**Since mid-2005, hundreds of civilians have been killed, more than 10 thousand houses burned, and approximately 212,000 persons have fled their homes in terror to live in desperate conditions deep in the bush in northern Central African Republic (CAR). Bordering eastern Chad and war-ravaged Darfur in Sudan, this area has been destabilized by at least two major rebellions against the government of President François Bozizé.**

The vast majority of summary executions and unlawful killings, and almost all village burnings, have been carried out by government forces, often in reprisal for rebel attacks. While both main rebel groups have been responsible for widespread looting and the forced taxation of the civilian population in areas they control—and rebels in the northeast have committed killings, beatings, and rape—their abuses pale in comparison to those of the Central African Armed Forces (*Forces armées Centrafricaines, FACA*) and the elite Presidential Guard (*Garde présidentielle, GP*). As the International Criminal Court (ICC) begins investigations into atrocities committed during the 2002-2003 rebellion against former President Patassé, it should also investigate possible war crimes under its jurisdiction committed in the current round of fighting.

This report documents the human rights abuses and breaches of international humanitarian law being committed in northern CAR and describes the make-up, origins, and aims of the most significant rebel groups. The Popular Army for the Restoration of the Republic and Democracy (*Armée populaire pour la restauration de la République et la démocratie, APRD*) is active in the northwestern provinces of Ouham, Ouham-Pendé, and Nana-Grébizi. The Union of Democratic Forces for Unity (*Union des forces démocratiques pour la rassemblement, UFDR*) is most active in remote northeastern provinces of Bamingui-Bangoran and Vakaga.

In February and March 2007 Human Rights Watch researchers visited the majority of towns and villages affected, documenting summary executions, unlawful killings, beatings, house burnings, extortion and unlawful taxation, the recruitment and use of children as soldiers, and many other human rights abuses. Human Rights Watch researchers interviewed over 100 persons, including many victims and witnesses, local and regional government officials, military commanders, rebel officials, religious leaders, and representatives of local and international humanitarian organizations active in northern CAR.

Until quite recently there was little international awareness of the situation in northern CAR. However, in 2006, human rights violations and breaches of international humanitarian law began to receive some attention. The killings, village burnings, displacement, and humanitarian suffering are now occasionally reported in the international press and are the subject of increasing diplomatic notice, usually being seen as “spill-over” from the continuing crisis in Darfur.

Little attention, however, has been paid to the actual dynamics of conflict, which are largely home grown. The main rebel protagonists are Central Africans with local grievances. Human Rights Watch’s research suggests that the degree of linkage with the situation in Darfur has been exaggerated. The APRD in the northwest is so poorly equipped that it is difficult to imagine it has foreign sponsorship. Human Rights Watch has found no other evidence of such support. Although there have been contacts between the UFDR and Sudan-sponsored Chadian rebels opposed to the Chadian President Déby based in the northeast of CAR in early 2006, foreign support does not appear to be a driving force behind this rebellion.

Neither has attention been paid to the issue of responsibility for human rights violations and breaches of international humanitarian law, nor to action to ensure accountability. The sorry fact is that the perpetrators of violence and abuse, the majority of them government soldiers, have so far enjoyed total impunity for acts that include war crimes.



Route of February-March 2007 Human Rights Watch research mission

## The APRD Rebellion

The APRD rebellion in the northwest was launched almost immediately after controversial 2005 elections led to the election of General Bozizé as President. These had excluded the candidacy of ex-President Patassé, who had been overthrown by General Bozizé in March 2003. The leadership of the APRD rebellion consists mostly of former Presidential Guards of Patassé, himself from the region. The APRD has about 1,000 poorly equipped members, including 200 rebels armed with automatic weapons, and another 600 with home-made hunting weapons. They claim their aim is to engage in “dialogue” to address the political exclusion of Patassé and his supporters and to improve the security situation in the northwest, rather than to overthrow the government.

One of the main grievances of the population of the northwest is lack of security. Armed bandits, known as *zaraguinas* or *coupeurs de route*, regularly attack villagers and have taken advantage of insufficient security provided by the state to increase attacks. The *zaraguinas* commonly kidnap children for ransom and regularly kill civilians during raids. Many cattle-herders from the Peulh ethnic group in the northwest, particularly targeted because of their valuable livestock, have fled to the safety of larger towns and refugee camps in Chad. Along with the political grievances of former Patassé supporters, the failure of the CAR security forces to protect local communities from banditry is an important element in the development of the APRD, and many local armed self-defense groups have merged into the rebel group.

## The UFDR Rebellion

From October to December 2006, the UFDR rebel movement gained international attention by seizing military control of the major towns in the remote Vakaga and Bamingui-Bangoran provinces of northeastern CAR, right on the border of Sudan’s Darfur region. The UFDR’s bold military offensive led to French military intervention on behalf of the CAR government in December 2006, allowing the security forces to regain control of urban centers.

The UFDR rebellion has its roots in the deep marginalization of northeastern CAR, which is virtually cut off from the rest of the country and is almost completely undeveloped. Elements from the Gula ethnic group, many of them trained militarily as anti-poaching units, are at the core of the rebellion, citing grievances such as discrimination against their community and the alleged embezzlement by the CAR authorities of compensation funds received from the Sudanese government following clashes perpetrated by Sudanese nomads in 2002. As the rebellion has grown, a backlash of anti-Gula sentiment among government officials, the military, and the general population has

developed. As a result, most of the Gula population has fled government-controlled areas in fear of retaliation.

A second element making up the UFDR is Bozizé’s own former colleagues, so-called *ex-libérateurs*, who participated in his overthrow of former President Patassé in 2003. They accuse Bozizé of betraying his promises and failing to compensate them for their support.

## Abuses by FACA and GP Forces

Since the beginning of the conflict in mid 2005 with rebel forces in northern CAR, the CAR security forces have committed serious and widespread abuses against the civilian population, including multiple summary executions and unlawful killings, widespread burning of civilian homes, and the forced displacement of hundreds of thousands of civilians, which have instilled terror in the civilian population. In most instances, these village burnings and killings were in direct response to recent rebel activity in the area and amount to unlawful reprisals against the civilian population. It is the FACA and GP that have been responsible for the vast majority of the most serious human rights abuses in the conflict, and they have carried out these atrocities in full confidence of impunity from accountability for their crimes.

During the course of its research, Human Rights Watch documented 119 summary executions and unlawful killings committed by government security forces in both the northwest and northeast (the vast majority in the northwest), including at least 51 committed since late 2005 by a single military unit, the Bossangoa-based GP unit, commanded at the time by Lieutenant Eugène Ngaïkossé.

Human Rights Watch believes that the killings it has documented are only a fraction of the total number of those committed by government security forces. Since the beginning of the conflict these are estimated to amount to many hundreds. Killings committed by security forces have often involved dozens of civilian deaths in a single day and have often included unspeakable brutality. For example, on February 11, 2006, a single GP unit killed at least 30 civilians in more than a dozen separate villages located along the Nana-Barya to Bémal road. On March 22, this same GP unit beheaded a teacher in Bémal, cutting off his head with a knife while he was still alive. Other civilians have simply “disappeared” in military custody, arrested and not seen alive again.

Since December 2005, government forces, particularly the GP, have also been almost solely responsible for the burning down of more than 10,000 civilian homes in northwestern CAR. Hundreds of villages across vast swathes of northern CAR have been destroyed. Troops arrive in villages and indiscriminately fire into the civilian population, forcing them to flee before burning down their





FACA soldiers pose with the just-executed bodies of Salvador Dami and Rodrigue Wanda in Kaga Bandoro, January 5, 2007.

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FACA soldiers prepare to patrol in APRD-controlled areas between Batangafo and Kabo.

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A group of APRD rebels near Ouandago pose with their homemade weapons.

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homes, sometimes looting them first. In December 2005, GP forces burned down 500 to 900 houses in the Markounda area. A Human Rights Watch count in the Batangafo-Kabo-Ouandago-Kaga Bandoro area found a total of 2,923 burned homes, including more than 1,000 homes in the large market town of Ouandago alone. In some places every single home in every single village was burned. Similarly massive destruction can be found all around the town of Paoua, all the way east to Nana Barya—hundreds of kilometers of villages destroyed by government security forces.

The reprisal and counterinsurgency tactics of the CAR security forces have affected the lives of over 1 million people and have forced an estimated 212,000 civilians to abandon their road-side homes and live deep inside the bush, too fearful to return to their burned villages in case of repeat attack. Another 78,000 have sought refuge in neighboring Chad and Cameroon. The level of civilian fear in northern CAR is palpable. People are simply not to be seen in many areas, hiding far away. At the sound of approaching cars, everyone flees, dropping their possessions, sometimes even abandoning babies in their haste.

Living conditions for the displaced are life-threatening. They have no access to clean water, are often desperately short of food supplies, and their widely dispersed shelters are beyond the reach of the humanitarian community. Educational facilities have been closed, and aside from mobile clinics run by international organizations in some areas, health care is non-existent.

## Rebel Abuses

APRD rebels in the northwest have engaged in widespread extortion, forced taxation, kidnappings for ransom, and beatings of civilians, particularly in the Batangafo-Kabo-Ouandago area of Ouham province. In that area, particularly on the Batangafo-Ouandago road, almost all villages have been systematically looted of all livestock, and village leaders have been regularly kidnapped for ransom. APRD rebels also have large numbers of child soldiers in their ranks, some as young as 12. APRD commanders expressed willingness to Human Rights Watch to demobilize the child soldiers if the post-demobilization security of the children could be guaranteed.

During its investigation in the field, Human Rights Watch documented one summary execution by the APRD (the killing of Mohammed Haroon in June 2006, in Gbaïzera) and did not identify any cases of home-burning by the group. Human Rights Watch has not received any credible additional reports of summary killings or village burnings by APRD rebels from local or international human rights organizations or journalists. On June 11, 2007, APRD rebels fired upon a vehicle of the international humanitarian



organization Doctors without Borders (*Médecins Sans Frontières, MSF*), killing Elsa Serfass, an MSF nurse. While the APRD immediately apologized for the incident, saying it had been a “mistake,” the persons responsible should be held to account.

Human Rights Watch’s research found that UFDR rebels in the northeast have carried out widespread abuses against



the civilian population. During attacks on villages and towns they have often indiscriminately fired at fleeing civilians, leading to unlawful killings. Meanwhile, UFDR rebels have been responsible for summary executions of captured civilians. From October to December 2006, the rebels carried out massive looting of the belongings and livestock of the civilian population in areas they controlled.

Women forcibly displaced by the government forces burning of homes wash their pots in a muddy stream outside Paoua. Tens of thousands of civilians live deep inside the bush without access to clean water, health care, humanitarian aid, or education out of fear from army attacks.

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The destroyed market of Kouvousou village, where Presidential Guard troops burned some 220 homes and shops in December 2006.

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One of many homes burned in Ouadda in December 2006 in retaliation for the perceived support of the Gula community for the UFDR rebellion.

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A church burned by government forces near Kabo.

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There have been allegations of rape by UFDR rebels, although Human Rights Watch has only been able to corroborate one case—a woman raped by five UFDR rebels during their brief capture of Birao in March 2007. The UFDR also has child soldiers in its ranks, and Human Rights Watch found that some of them had been forcibly recruited.

## The Need for Protection

Establishing credible mechanisms to protect the civilian population from abuses is fundamental to addressing the human rights crisis in northern CAR. The responsibility for civilian protection lies first and foremost with the CAR authorities: they must take immediate steps to end military abuses and to re-establish a functioning police force and court system that serve to protect the rights of the civilian population.

However, the international community can also do more. A stronger international protection presence in the north is urgently needed. There already is a substantial UN human rights presence in CAR, in the form of a 19-person human rights unit in the office of the United Nations Peace-building Support Office in the Central African Republic (*Bureau d'appui des Nations Unies pour la consolidation de la paix en République centrafricaine, BONUCA*), a long-standing UN peace support mission established in 2000. However, the human rights unit has been largely passive to date and does not effectively monitor or report on human rights abuses in the north. The UN should take the necessary measures, including changes to the mandate of the human rights section, to ensure that the BONUCA human rights unit effectively monitors and reports on human rights abuses in the north, in the same way that the human rights units of UN peacekeeping missions operate in neighboring Sudan and DRC.

If the UN Security Council moves ahead with the deployment of a UN protection mission to CAR and Chad, that mission should focus on the real protection needs of the civilian population of both countries, and not focus solely on neutralizing the “spill-over effect” of the Darfur crisis.

## The Need for Accountability

The crimes being committed in northern CAR by government security forces are no secret inside the country. Local newspapers and radio frequently report them, opposition parliamentarians have prepared public reports documenting the atrocities, and diplomatic envoys regularly raise their concerns with President Bozizé. Despite this, the government has not investigated, prosecuted, or punished a single military officer, or even publicly reprimanded them for any of the abuses. Even in the capital, Bangui, security forces carry out summary killings of



suspected bandits and rebels with impunity. During Human Rights Watch's visit, two handcuffed Chadian rebel suspects were executed on the outskirts of Bangui by security forces. The commander of the most notorious of the units, Lieutenant Eugène Ngaïkossé of the Bossangoa-based GP unit that has killed dozens of civilians and is directly implicated in most of the village burnings in the north, remains a free man and an active duty military officer to date.

The International Criminal Court (ICC) prosecutor's office is already involved in the CAR, having announced in May 2007 that they would investigate crimes committed in CAR during the 2002-2003 fighting, and that they would continue to monitor possible crimes committed during the current conflict. The investigations of the ICC in CAR should not, however, detract from the primary obligation of the CAR authorities to end impunity and bring about accountability for crimes committed by its armed forces and others. Ultimately, the crisis in northern CAR will only be resolved

Some of the more than 1,000 homes burned by government forces in Ouandago in 2006.

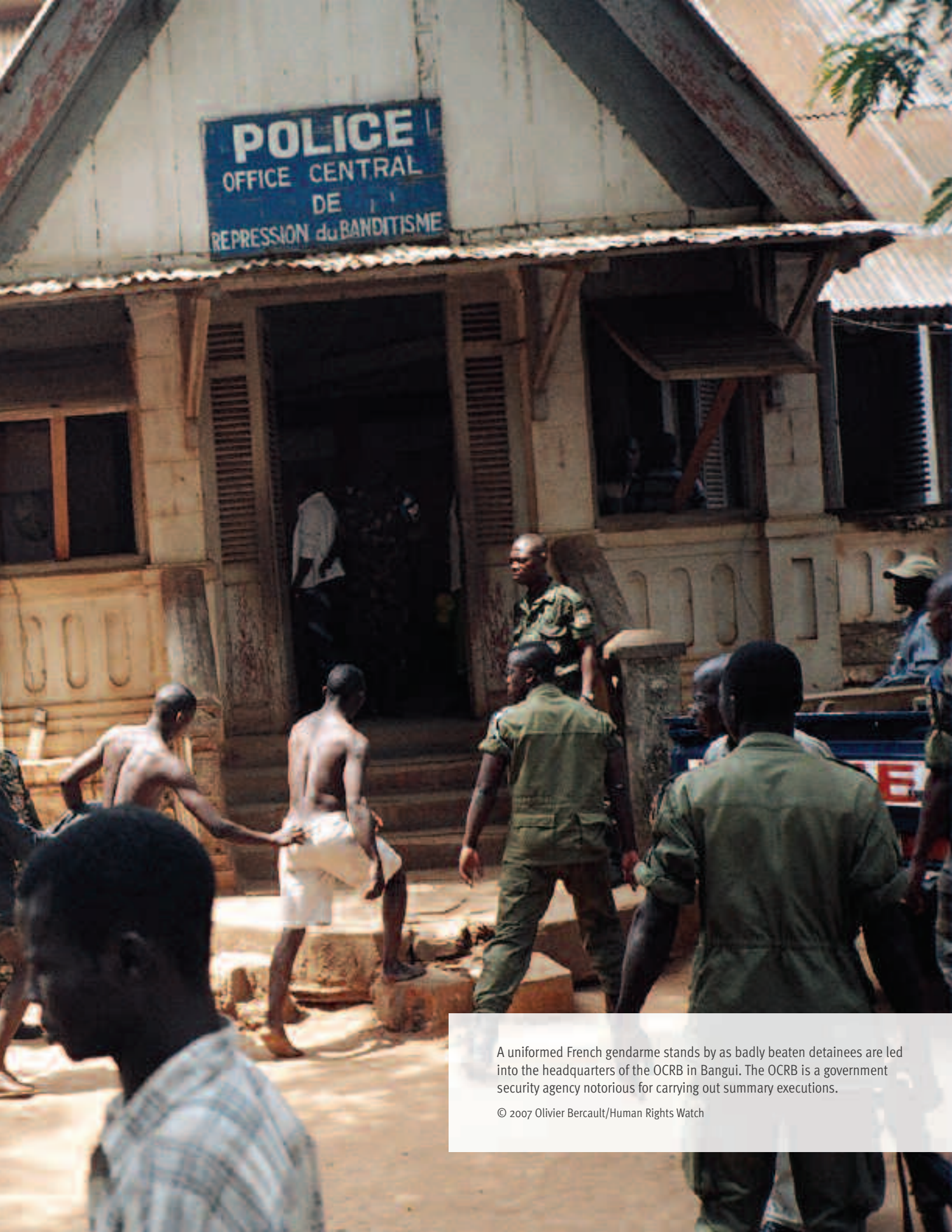
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when law and order is restored, and the institutions of justice have the capacity to punish those who commit crimes against the civilian population, including members of the army and the elite GP.

The international community—particularly France, without whose direct military support the government of President Bozizé would not survive—have an obligation to speak out about the abuses in northern CAR and to demand accountability for the crimes committed in northern CAR.







A uniformed French gendarme stands by as badly beaten detainees are led into the headquarters of the OCB in Bangui. The OCB is a government security agency notorious for carrying out summary executions.

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A man tortured by government forces in Paoua in January 2006 shows his severely disfigured arms.

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“At the base, they tied my arms behind my back and also my legs, arbatachar style. They cut me with razor blades on my arms. We were a total of eight youngsters who were detained, and they beat us for a long time. They beat us with their batons. The whole time they asked us questions: were we married, did we work, were we ever in the army, were we with the rebels? I kept saying no. There were many soldiers, a few would beat us and then others would come. We spent two days like this”.

“Five of us died from the beatings on the first day. ...The Abbé from the church came to see us the second day, and then they let us go. He took us to the hospital, and my younger brother died from his wounds on February 9. I was at the hospital for a long time and even had to go to Bangui for treatment. They had to remove [infected broken] bones from both my front arms. There still is a big unhealed wound on my foot. I still can't use my hands because of the arbatachar tying”.

TESTIMONY OF A 27-YEAR-OLD STUDENT TORTURED BY CAR SOLDIERS IN JANUARY, 2006, IN PAOUA, FOLLOWING AN UNSUCCESSFUL APRD REBEL ATTACK ON THE TOWN.



# GLOSSARY

<b>APRD</b>	<b>Armée populaire pour la restauration de la République et la démocratie</b> —Popular Army for the Restoration of the Republic and of Democracy	<b>HCDH</b>	<b>Haut Commissariat aux droits de l'homme</b> —High Commissioner for Human Rights
<b>BONUCA</b>	<b>Bureau d'appui des Nations Unies pour la consolidation de la paix en République Centrafricaine</b> —United Nations Peace-Building Office in the Central African Republic	<b>MISAB</b>	<b>Mission de surveillance des accords de Bangui</b> —Inter-African Mission to Monitor the Implementation of the Bangui Agreements
<b>CEMAC</b>	<b>Communauté économique et monétaire de l'Afrique centrale</b> —Central African Economic and Monetary Community, now known as CEEAC-ECCAS	<b>MLC</b>	<b>Mouvement de libération du Congo</b> —Movement for the Liberation of the Congo
<b>CFA</b>	<b>Communauté Financière d'Afrique</b> —Financial Community of Africa	<b>MLCJ</b>	<b>Mouvement des libérateurs Centrafricains pour la justice</b> —Movement of Central African Liberators for Justice
<b>CICR-ICRC</b>	<b>Comité international de la Croix-Rouge</b> —International committee of the Red Cross	<b>MPRD</b>	<b>Mouvement pour la paix, la reconstruction, et le développement</b> —Movement for Peace, Reconstruction, and Development
<b>CPI-ICC</b>	<b>Cour pénale internationale</b> —International Criminal Court	<b>MSF</b>	<b>Médecins sans Frontières</b> —Doctors without Borders
<b>FACA</b>	<b>Forces armées centrafricaines</b> —Central African Armed Forces	<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>FDC</b>	<b>Front démocratique centrafricain</b> —Central African Democratic Front	<b>OCRB</b>	<b>Office Central de Répression du Banditisme</b> —Central Bureau for the Repression of Banditry
<b>FDPC</b>	<b>Forces démocratiques pour le peuple centrafricain</b> —Democratic Forces for Central African people	<b>UFDR</b>	<b>Union des forces démocratiques pour le rassemblement</b> —Union of Democratic Forces for Unity
<b>FOMUC</b>	<b>Force multinationale en Centrafrique</b> —Multinational Force in the Central African Republic	<b>PNUD-UNDP</b>	<b>Programme des Nations Unies pour le développement</b> —United Nations Development Programme
<b>FUC</b>	<b>Front uni pour le changement</b> —United Front for Change	<b>VSBG-SGBV</b>	<b>Violences sexuelles et basées sur le genre</b> —Sexual and Gender-Based Violence
<b>GAPLC</b>	<b>Groupe d'action patriotique pour la libération de Centrafrique</b> —Patriotic Action Group for the Liberation of Central Africa	<b>UNICEF</b>	United Nations Children's Fund
<b>GP</b>	<b>Garde présidentielle</b> —Presidential Guard		



Children's images of fighting drawn on the walls of a compound along the Paoua-Boguila road burned down by government forces.

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Villages affected by house burnings in the Batangafo-Kabo-Ouandago-Kaga Bandoro area in 2006-2007



Area of UFDR rebel activity in northeastern Central African Republic in 2006-2007

# Recommendations September 2007

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## To the Government of the Central African Republic

- Take all necessary steps, including by issuing clear public orders to the Central African Armed Forces (FACA), the Presidential Guard (GP), and other relevant government security agencies, to immediately cease attacks on civilians and civilian property in northern Central African Republic.
- Suspend from official duty, investigate, and prosecute all military personnel implicated in human rights violations and violations of international humanitarian law in Central African Republic since March 2003, both those who bear direct individual criminal responsibility and those with command responsibility.
- Investigate and prosecute any present or former member of the Bossangoa-based GP unit, including the former commander Eugène Ngaïkossé and his former deputy commander Abdoulayé Alias, for their individual actions as well as on the basis of command responsibility for crimes documented in this report, as well as other human rights violations and violations of international humanitarian law.
- Review and revise the training curriculum of the Central African Republic security forces, the FACA and GP in particular, to ensure comprehensive training on human rights and international humanitarian law, including appropriate use of force and the protection of the civilian population and civilian objects.
- Deploy sufficient military personnel, police, and resources to areas affected by banditry, coupeurs de route, zaraguinas, and criminal nomads to ensure that civilians are protected from further attacks.
- Fully cooperate with and facilitate any International Criminal Court investigation in Central African Republic.
- Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

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## To the APRD, UFDR and other rebel factions

- Take all appropriate actions, in accordance with international standards, to prevent and punish human rights abuses, and violations of international humanitarian law by rebel commanders and combatants.
- Take action to ensure the demobilization of all child soldiers and end the recruitment of children under the age of 18.

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## To the Government of Chad

- Take all necessary steps, including by issuing clear public orders to government forces, to immediately cease attacks on civilians and civilian property in Central African Republic.
- Investigate and bring to justice all the members of the Chadian government forces involved in attacks on civilians in Central African Republic.



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## To the United Nations Security Council

- Reform the BONUCA human rights unit, if necessary by changing its mandate, so it will, in close coordination with the Office of the High Commissioner for Human Rights, effectively monitor and report on human rights abuses and violations of international humanitarian law in CAR, and work with the CAR authorities in developing a human rights plan of action and effective national human rights institutions.
- Consider the recruitment and use of child soldiers and other violations against children in CAR in the context of its working group on children and armed conflict.
- Deploy a civilian protection force to CAR and Chad with a mandate that includes effective civilian protection from government and rebel forces in northern CAR.

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## To the United Nations CAR country team

- Increase the protection capacity of UN agencies operative in CAR by deploying on-the-ground protection officers in northern CAR, and strengthening interagency protection mechanisms.
- Engage in dialogue with the APRD, UFDR, and other groups as appropriate to secure concrete planned measures to release all children under the age of 18 currently serving in armed groups, and to end all further recruitment of children in accordance with Security Council resolution 1612.
- Establish a country task force for monitoring and reporting on violations against children in armed conflict.

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## To the Special Representative of the Secretary General on Children and Armed Conflict

- Ensure the inclusion of information on the recruitment and use of child soldiers as violations of international law in relevant reports to the UN Security Council, including the identification of the specific parties responsible.

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## To the Government of France and other governments providing military assistance to CAR

- Ensure that French or other foreign troops operating with the Forces armées Centrafricaines (FACA) and other governmental armed forces respect international humanitarian law, prevent the FACA and other governmental armed forces from committing abuses, and intervene to protect all civilians in their area of deployment.
- Closely monitor human rights violations and violations of international humanitarian law committed by CAR forces, and demand investigations and prosecutions of all documented violations.
- Condition military or police assistance to the Central African Republic government on respect of human rights, and the investigation and prosecution of military personnel implicated in violations of human rights and international humanitarian law.
- Ensure that all assistance programs have a prominent training component on human rights and international humanitarian law.



## Background: The Varied Causes of Conflict in CAR

### Central African Republic's Violent Political History

Since gaining independence in 1960, the poverty-stricken Central African Republic (CAR) has experienced dictatorial rule, corruption, and severe political instability. Almost without exception, every ruler of the CAR since independence—David Dacko (1960-66), Jean-Bédél Bokassa (1966-1979), David Dacko (1979-1981), André Kolingba (1981-1993), Ange Félix Patassé (1993-2003), and the current President, General François Bozizé (2003-current)<sup>1</sup>—either came to power or was ultimately overthrown in a military coup. In the last decade alone, the CAR has witnessed at least 10 military coup attempts and army mutinies, and an almost constant state of rebellion.

CAR's neighbors—Chad, Sudan, the Democratic Republic of Congo, and Cameroon—have all involved themselves in the political dramas of the country, but France, the former colonial power, continues to play a dominant and influential role in deciding who governs. The CAR has also been affected by conflicts in neighboring Sudan, Chad, and the Democratic Republic of Congo, with rebel groups and government forces from neighboring countries freely using remote rural areas as rear bases or for military operations.<sup>2</sup> This has created a significant flow of small arms, further fueling

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<sup>1</sup> David Dacko was the Prime Minister prior to independence and became CAR's first President with strong French support. He introduced a one-party system and suspended the constitution in 1962. In the face of a French-backed coup, Dacko resigned in 1966 in favor of his cousin, Jean-Bédél Bokassa. Bokassa's rule was marked by brutality and massive human rights abuses, as well as erratic behavior, for example when he crowned himself "Emperor" of CAR in 1976. In 1979, Bokassa was ousted in a French-backed coup that brought David Dacko back to power. In 1981, André Kolingba seized power in a military coup and introduced military governance. Donor pressure forced Kolingba to return to civilian governance and hold elections, and in 1993 Kolingba lost in Presidential elections against Ange Félix Patassé. Patassé faced almost continuous military coup attempts and army mutinies, fueled by economic instability, mismanagement, and corruption, before losing power to his former Chief of Staff François Bozizé in March 2003. See Fiona McFarlane and Mark Malan, "Crisis and Response in the Central African Republic: A New Trend in African Peacekeeping," *African Security Review*, Vol. 7 No. 2, 1998; Yarisse Zoctizoum, *Histoire de la Centrafrique: Violence du développement, domination et inégalités*, Vols. 1-2 (Paris: L'Harmattan, 2000).

<sup>2</sup> For example, the Sudanese People's Liberation Army (SPLA) had bases in the remote northeastern Vakaga province of the Central African Republic for much of the north-south civil war in Sudan (1983-2005), and the Sudanese Armed Forces also used the province to launch attacks against the SPLA in Bahr el-Ghazal during the 1990s. See Small Arms Survey Human Security Baseline Assessment, "A Widening War Around Sudan," Sudan Issue Brief Number 5, January 2007; Africa Confidential "Enemy's Enemy," Vol. 43 No. 7, April 5, 2002; Eric G. Berman, *La République Centrafricaine: une étude de cas sur les armes légères et les conflits* (Geneva, Small Arms Survey Special Report, June 2006); "CAR: Report on the Anticipated Sudanese Peace Accord," *IRIN*, March 24, 2004. In April 2006, Chadian rebels launched an offensive on N'Djamena partly from bases in the remote Vakaga province of CAR.

instability, particularly in northern CAR. Conflict in its neighbors has also generated refugee flows into the CAR, which is housing some 11,000 recognized refugees from Sudan, Chad, and the DRC.<sup>3</sup>

The roots of the latest round of instability and conflict lie in the final years of the government of former President Ange Félix Patassé, who came to power in elections in 1993 and who was overthrown in a military coup by his former army chief of staff, General Francois Bozizé in March 2003. Patassé faced several military coups and army mutinies in his 10 years of rule, leading to deep ethnic divisions in the military, as the mutineers accused Patassé of tribalism and ethnic favoritism.<sup>4</sup> A succession of military uprisings in 1996 led the Presidents of Burkina Faso, Gabon, Mali, and Chad to hammer out a peace accord, known as the Bangui Agreements, between Patassé and the mutineers, and to support the deployment of a 500-strong regional African peacekeeping force, the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (*Mission de surveillance des accords de Bangui, MISAB*).<sup>5</sup>

In May 2001 former President André Kolingba, who had lost power to Patassé in the 1993 Presidential elections, sponsored an unsuccessful military coup which set off a series of events that ultimately led to Patassé's removal. After the coup attempt, the president accused his Army Chief of Staff, François Bozizé, of involvement and fired him on October 26, 2001. Bozizé rallied troops to resist his sacking, but was ultimately forced to leave for exile in southern Chad. These events deeply split and weakened the CAR armed forces—the Central African Armed Forces (*Forces armées Centrafricaines, FACA*)—dividing it between Patassé and Bozizé loyalists.

On October 25, 2002, Bozizé launched another rebel offensive against Patassé, bringing his rebel troops to the outskirts of the capital, Bangui. Unable to rely on his weakened army, Patassé obtained the support of forces of the Congolese rebel Jean-Pierre Bemba's Congo Liberation Movement (*Mouvement de libération du Congo, MLC*), which operated mostly in the southern CAR regions bordering the Democratic Republic of Congo. He also recruited a mostly Chadian mercenary force headed by

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<sup>3</sup> UNHCR, "Fact Sheet: Central African Republic," February 2007.

<sup>4</sup> McFarlane and Marlan, "Crisis and Response in the Central African Republic".

<sup>5</sup> Ibid.

Chadian-born Abdoulayé Miskine (born Martin Koumtamaji), which operated mostly in northern CAR. Patassé additionally received support from Libyan troops. Both Bemba's MLC forces and Miskine's mercenary force committed widespread atrocities, including massacres and rapes, during 2002 and 2003.<sup>6</sup>

Following the failed October 25, 2002 coup attempt by Bozizé, the regional economic bloc, the Central African Economic and Monetary Community (*Communauté économique et monétaire de l'Afrique centrale, CEMAC*) deployed a small regional peacekeeping force, the Multinational Force for the CAR (*Force Multinationale en Centrafrique, FOMUC*), supported by the French government and European Union. FOMUC was tasked with ensuring the security of President Patassé, to assist the CAR forces in securing the country's borders, and to help restructure the armed forces. Three hundred and eighty FOMUC troops from Chad, Gabon, and the Democratic Republic of Congo (DRC) continue to be deployed in CAR until today and took part in a joint French/CAR military counteroffensive in northeastern CAR in December 2006 to retake rebel-held towns.

Fighting between Bozizé's rebels, which included many Chadian fighters (some reportedly provided by Chadian President Idriss Déby, others who had joined on their own initiative) and Patassé's forces continued sporadically from October 2002 to March 15, 2003, when Bozizé finally seized power. The prolonged fighting had a devastating impact in the north, as warring parties looted the civilian population, destroyed the limited state infrastructure, burned many villages, and committed widespread killings and rapes.<sup>7</sup> According to international humanitarian officials who were present in northern CAR during both the 2002-2003 and the current fighting,

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<sup>6</sup> Fédération Internationale des Ligues des Droits de l'Homme (FIDH), "War Crimes in Central African Republic: When Elephants Fight, the Grass Suffers," (Crimes de Guerre en République centrafricaine : Quand les éléphants se battent, c'est l'herbe qui souffre,) no 355, February 13, 2003, <http://www.fidh.org/IMG/pdf/cf355f.pdf> (accessed July 11, 2007); FIDH, "Central African Republic: Forgotten, Stigmatised: The Double Suffering of Victims of International Crimes," (République centrafricaine: Oubliées, stigmatisées: la double peine des victimes de crimes internationaux) no 457, October 12, 2006, (Hereinafter, FIDH, "Forgotten, Stigmatised."), <http://www.fidh.org/IMG/pdf/RCA457-2006.pdf> (accessed July 11, 2007). The widespread crimes committed by Bemba and Miskine's troops in and around Bangui since October 2002 caused human rights groups like the *Fédération Internationale des Ligues des Droits de l'Homme* (FIDH) to call for the ICC to investigate the situation in CAR in February 2003. In December 2004 the government of CAR referred the situation of crimes committed on CAR territory during the 2002-2003 to the ICC. On May 22, 2007, ICC prosecutor Luis Moreno-Ocampo formally announced that he would open an investigation into crimes committed in the CAR from 2002-2003.

<sup>7</sup> United Nations Human Rights Committee, "Central African Republic: Consideration of Country Situation in the Absence of State Report," July 22, 2004; FIDH, "Forgotten, Stigmatised."

the level of destruction and human rights abuses of the 2002-2003 conflict was at least as serious as during the more recent fighting, although it received even less international attention.<sup>8</sup>

## **Economic and social disparities as a source of conflict**

The severe poverty of the CAR as a whole, but in particular the glaring economic and social disparities between the north and other areas,<sup>9</sup> especially the region around the capital, Bangui, are significant contributory factors to political instability. The population of the north is marginalized, and many who have joined the rebel movements complain of a lack of salaries and basic services such as schools and hospitals in their communities. The weak State in CAR means that much of the north is outside the control of the security forces. It is a lawless region where shadowy rebel and bandit groups operate freely and often prey on the civilian population.

Even when viewed in its entirety, CAR is shockingly poor. CAR ranks 172 out of 176 countries on the 2006 Human Development Index, and the average life expectancy is only 39 years.<sup>10</sup> The most recent figures for maternal and infant mortality rates, an accepted indicator of the state of the health system, are extremely high, 1,355 per 100,000 and 132 per 1,000 in 2003, respectively.<sup>11</sup> More than half of the population is illiterate, including more than 80 percent of rural women.<sup>12</sup> CAR also has the highest HIV/AIDS infection rates in the region, with a national average of over 10 percent.<sup>13</sup>

The situation in the north is even worse. There are no tarred roads or electrified towns, and schools and medical facilities are primitive and understaffed, if

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<sup>8</sup> Human Rights Watch interview with international humanitarian official who was present during 2002-2003 fighting as well as the current conflict, northern CAR, February 2007.

<sup>9</sup> United Nations, "Consolidated Appeal for the Central African Republic 2007", November 30, 2006, <http://ochaonline.un.org/cap/webpage.asp?Page=1491> (accessed June 18, 2007).

<sup>10</sup> United Nations Development Programme (UNDP), *Human Development Report 2006* (New York: United Nations Development Programme, 2006).

<sup>11</sup> Humanitarian Community Partnership Team CAR, "Central African Republic Fact Sheet," February 2007.

<sup>12</sup> UNDP, *Human Development Report 2006*.

<sup>13</sup> UNAIDS, "Report on the Global AIDS Epidemic 2006", May 2006, [http://www.unaids.org/en/HIV\\_data/2006GlobalReport/](http://www.unaids.org/en/HIV_data/2006GlobalReport/) (accessed June 18, 2007).

functioning at all. In many villages, there are no water pumps to provide clean water. In the most remote areas of northern CAR, state structures are virtually non-existent—there are no police officers, administrative officials, teachers, or health professionals. There are almost no development projects in many parts of the north, in contrast with southern CAR, where the donor community and the World Bank are supporting large-scale development initiatives.

This marginalization is especially profound in the sparsely populated Vakaga province in the northeast, which takes four days of driving over bad roads to reach from the capital, Bangui. The people of the northeast are essentially cut off from the more prosperous south and are indeed physically cut off from the rest of the country during the rainy season, when the poorly constructed roads become impassable. A village leader in Vakaga province explained to Human Rights Watch how this isolation and neglect has fueled rebellion: “Since independence until now, the State has ignored us. We have the problems of bad roads, no hospitals, no schools, no clean water in our communities.”<sup>14</sup>

### **CAR’s Security Services and Civilian Protection**

A long-standing problem for the civilian population in northern CAR is the failure of the state to afford them protection and the rule of law. In the face of banditry and rebellion they are basically left to fend for themselves. General Lamine Cissé, the Special Representative of the UN Secretary-General in CAR and head of the BONUCA peace-support operation, accurately summed up the security situation when he stated that the security forces are “incapable of making the country feel safe,” and explained this is why the CAR authorities need “international baby-sitting” to deal with the security situation in the north.<sup>15</sup>

Poverty coupled with decades of political instability and military splits have left the country with security services that are ill-trained, abusive, and inadequate. Such forces are unable to provide effective security for the population of northern CAR. In

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<sup>14</sup> Human Rights Watch interview with a community leader, Ouandja, February 24, 2007.

<sup>15</sup> FIDH, “Forgotten, Stigmatised,” p. 48.

effect, the CAR security services often find themselves outgunned by better-armed bandit and rebel groups, both local and from neighboring countries.

In most of CAR, but particularly the north, the military does not have barracks to house its troops—most have been destroyed in successive rebellions and mutinies. Troops find their own lodgings in civilian neighborhoods. This is an obstacle to army commanders asserting effective control over their soldiers and contributes to indiscipline, drunkenness, and abuses against the civilian population.<sup>16</sup> Troops often do not receive food and other supplies, leading to looting and extortion.

The extremely limited capacity of the military was clearly visible to Human Rights Watch during its work in northern CAR. In Paoua, one of the largest towns affected by the APRD rebellion in the northwest, the local FACA contingent fluctuated between 30 and 60 soldiers, most of whom were out of uniform, undisciplined, and frequently drunk. A single FACA section of approximately 30 persons was responsible for the entire Batangafo-Kabo-Ouandago triangle in Ouham prefecture, which stretches hundreds of kilometers, all of them crammed into a single open landcruiser with a mounted machinegun. Even this section was not permanently based in the triangle, but had recently arrived on temporary deployment.

The population of northern CAR finds itself caught in a dilemma: they want the state to provide protection against bandits and other abusive non-state forces, but they are suffering disproportionately from reprisals and other abuses committed by security forces that ought to be responsible for their protection. Donors find themselves facing a similar dilemma: they want to contribute to building an effective security force in CAR, but do not want to become entangled with a security force with a brutal record of human rights abuses.

Ultimately, a military response to the banditry and insecurity in northern CAR is only a short-term palliative. In order to ensure security, law and order, and the protection of the human rights of the civilian population, CAR needs to establish an effective

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<sup>16</sup> When asked what needed to change to stop military abuses, one FACA commander told Human Rights Watch that the first priority was to construct proper barracks for the soldiers: “We need to reconstruct the barracks, because soldiers and their commanders need to be on bases so they can be trained and supervised. If the soldiers stay with the civilians, there are always problems.” Human Rights Watch interview with Lt. Armand Djongasso, Batangafo, February 19, 2007.



police force and legal system, with access to justice for victims of human rights abuses, and guaranteed fair trials for everyone.

## Applicable legal standards

The conflicts in CAR, involving the Forces armées centrafricaines (FACA), the Garde présidentielle (GP), the Armée populaire pour la restauration de la République et la démocratie (APRD), and the Union des forces démocratiques pour le rassemblement (UFDR) are internal, non-international armed conflicts in which all parties are bound by applicable standards of international humanitarian law (the laws of war). The parties to the conflict in CAR are specifically obligated to observe customary international humanitarian law as it applies to non-international armed conflict, article 3 common to the four 1949 Geneva Conventions, (“common article 3”), and Additional Protocol II of 1977 to the Geneva Conventions, which is applicable to conflicts between a countries’ armed forces and other organized armed groups. CAR is a party to the 1949 Geneva Conventions and also both Additional Protocols.<sup>17</sup>

CAR has also ratified the Rome Statute of the International Criminal Court (ICC), and so accordingly, all persons in CAR responsible for war crimes and other violations of the Rome Statute committed after July 2002, when the statute entered into force, are subject to the ICC’s jurisdiction.<sup>18</sup>

Applicable international humanitarian law forbids deliberate harming of civilians and of those who are not engaged in armed hostilities at the time, including wounded and captured combatants.

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<sup>17</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention), 75 U.N.T.S. 31, entered into force October 21, 1950; Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Geneva Convention), 75 U.N.T.S. 85, entered into force October 21, 1950; Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention), 75 U.N.T.S. 135, entered into force October 21, 1950; Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 75 U.N.T.S. 287, entered into force October 21, 1950. CAR became a party to the Geneva Conventions in 1966. Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1125 U.N.T.S. 3, entered into force December 7, 1978; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1125 U.N.T.S. 609, entered into force December 7, 1978. CAR became a party to Protocol I and II in 1984.

<sup>18</sup> Rome Statute of the International Criminal Court (Rome Statute), U.N. Doc. A/CONF.183/9, July 17, 1998, entered into force July 1, 2002. CAR ratified the Rome Statute on October 3, 2001.

International human rights law is also applicable in the conflict. CAR is a party to several relevant international human rights treaties, which prohibit violations of basic rights including protection from unlawful and arbitrary violations of the right to life, freedom from inhuman and degrading treatment and torture, freedom from arbitrary detention, due process, right to protection of the home and family, and specific protection of children in times of armed conflict.<sup>19</sup>

In the context of hostilities occurring as part of armed conflict, international humanitarian law, as the *lex specialis* or specialized law, takes precedence but does not replace human rights law. Persons under the control of government or armed opposition forces in an internal armed conflict must, in all cases, be treated in accordance with international humanitarian law, which incorporates important human rights standards.

### **Attacks on Civilians, including looting and destruction of property**

One of the most basic rules of international humanitarian law is that parties to a conflict must distinguish between combatants and civilians, and should not intentionally target civilians or other persons not taking direct part in hostilities. Additional Protocol II also explicitly sets out that “the civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations.” They are not to be the object of attack, and all acts or threats of violence with the primary purpose to spread terror among the civilian population are prohibited.<sup>20</sup> Protocol II also sets out the customary international law prohibition on attacks, destruction, or removal of objects indispensable to the survival of the civilian population including food-stuffs, agricultural areas, crops, livestock, drinking water installations and supplies, and irrigation works.<sup>21</sup> The ICC statute makes the

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<sup>19</sup> International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, acceded to by CAR on May 8, 1981; Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, ratified by CAR on April 23, 1992; Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO No. 182), 38 I.L.M. 1207 (1999), entered into force November 19, 2000, ratified by CAR on June 28, 2000; African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, ratified by CAR April, 26 1986.

<sup>20</sup> Additional Protocol II, Article 13.

<sup>21</sup> Additional Protocol II, Article 14.

intentional targeting of civilians, including in non-international conflicts, a war crime.<sup>22</sup>

## Reprisals and Collective Punishments

Collective punishments are prohibited under international humanitarian law in all circumstances. Reprisals in non-international armed conflicts are prohibited, although customary international law does permit a very narrow category of lawful belligerent reprisals in *international* armed conflicts.<sup>23</sup>

The prohibition on collective punishments and reprisals against civilians, civilian property, or others not or no longer taking active part in hostilities is a matter of customary international law and also treaty law by which CAR is bound.

Common article 3, as set out above, prohibits in all circumstances acts including murder, mutilation, cruel, humiliating and degrading treatment, and torture against civilians and other persons taking no active part in the hostilities. Article 4 of Additional Protocol II also sets out the fundamental guarantees of humane treatment which apply “at any time and in any place whatsoever”, and explicitly includes in addition to the acts in common article 3, a prohibition on collective punishments, acts of terrorism, and pillage. The International Committee of the Red-Cross commentary makes clear that both of these articles leave no room for reprisals in non-international armed conflicts.<sup>24</sup>

The prohibition on collective punishments is not just a prohibition on imposing criminal sanctions against persons for actions for which they do not bear individual criminal responsibility, but according to the ICRC Commentary, prohibits “all

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<sup>22</sup> Rome Statute, Article 8(e)(i).

<sup>23</sup> Belligerent reprisals are acts that would otherwise be unlawful acts of war but, when used as an enforcement measures in reaction to the unlawful acts of an adversary may, in exceptional cases, be permitted. For a belligerent reprisal to be lawful in an international conflict, it must be an exceptional measure carried out as a measure of enforcement against an adversary who has violated the laws of war; it must be a measure of last resort; it must be proportionate to the original violation; the decision to carry out the reprisal should be carried out at the highest level of government; and the reprisal must stop once the adversary has complied with the law.

<sup>24</sup> ICRC Commentaries on Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977 pp. 1372 – 3, paras. 4530-6.

sanctions and harassment of any sort, administrative, by police action or otherwise”.<sup>25</sup> A collective punishment, which constitutes an attack directed against the civilian population, or individual civilians, is also a war crime.

## Child soldiers

The recruitment and use of children under the age of 15 years as soldiers, and their participation in active hostilities is prohibited under international humanitarian law and listed as a war crime in the Rome Statute for the ICC.<sup>26</sup> The Convention on the Rights of the Child, to which CAR is party, and the Additional Protocols to the 1949 Geneva Conventions prohibit any recruitment or use in armed conflict of children under the age of 15.<sup>27</sup> This standard is now considered customary international law.<sup>28</sup>

In 2000, the United Nations adopted an Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, raising the minimum age for forced recruitment, conscription, or direct participation in hostilities to age 18.<sup>29</sup> The protocol also obliges non-governmental armed groups to refrain from any recruitment or use of children under age 18. By June 2007, 116 governments were party to the Optional Protocol. The CAR has not yet ratified the treaty.

The CAR is a party to the Worst Forms of Child Labor Convention, adopted by the International Labor Organization in 1999, which prohibits the forced recruitment of

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<sup>25</sup> Ibid. para. 3456; ICRC Commentaries on Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, para. 3055.

<sup>26</sup> Rome Statute, arts. 8(2)(b)(xxvi) and 8(2)(e)(vii).

<sup>27</sup> Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2 1990. CAR ratified the Convention on April 23, 1992.

<sup>28</sup> In 2004, the Appeals Chamber of the Special Court for Sierra Leone ruled that the prohibition on recruiting children below age 15 had crystallized as customary international law prior to 1996, and that, individuals responsible for recruiting children under the age of 15 bear criminal responsibility for their acts. Summary of Decision on Preliminary Motion on Lack of Jurisdiction (Child Recruitment), Prosecutor v. Sam Hinga Norman, Appeals Chamber of the Special Court for Sierra Leone, May 31, 2004, Case Number SCSL-2003-14-AR72 (E).

<sup>29</sup> Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000, G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III (2000), entered into force February 12, 2002.

children under the age of 18 for use in armed conflict as one of the worst forms of child labor.<sup>30</sup>

## Summary Executions

Summary executions are illegal under any circumstances according to both international humanitarian and human rights law. Common article 3 explicitly forbids summary executions, and serious violations of common article 3 are deemed war crimes for the purposes of the Rome Statute. Common article 3, prohibits “at any time and in any place whatsoever” with respect to persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause:

- (a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment, and torture;
- (b) Taking of hostages;
- (c) Outrages upon personal dignity, in particular humiliating and degrading treatment;
- (d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

## Ill treatment, including rape and SGBV

Beatings and ill-treatment of civilians and others not directly partaking in hostilities, which amount to cruel treatment or torture, outrages upon personal dignity, or humiliating and degrading treatment, are all serious violations of international humanitarian law and can be tried as war crimes. Rape and any other form of sexual violence which take place in a non-international conflict are also serious violations of international human rights and humanitarian law, and specifically listed as war crimes under the Rome Statute.

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<sup>30</sup>Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO No. 182), entered into force November 19, 2000, and was ratified by the CAR on June 28, 2000. CAR is yet to become a party to the Optional Protocol to the Convention on the Rights of the Child, adopted by the U.N. in 2000, which sets 18 as the minimum age for all participation in hostilities, all forced recruitment or conscription, and all recruitment by non-state armed groups.

## Rebellion in the Northwest

Almost immediately after the May 2005 elections that led to coup leader General Bozizé becoming President, fighting broke out in the densely populated northwest, home to nearly 1 million of the CAR's 4 million people, causing the displacement of more than 100,000 civilians.<sup>31</sup> Although multiple rebel groups have claimed to be active in the area, the rebellion is dominated by the Popular Army for the Restoration of the Republic and Democracy (*Armée populaire pour la restauration de la République et la démocratie, APRD*) and combines elements of ex-President Patassé's Presidential Guard with local self-defense groups seeking security for their communities. The CAR army, particularly the Garde présidentielle (GP), has carried out attacks on the civilian population, burning thousands of civilian homes, and committing widespread summary executions and other unlawful killings of civilians.

### The Origins of Conflict

After initially suspending the Constitution, declaring himself President, and seizing both executive and legislative powers in 2003,<sup>32</sup> President Bozizé embarked on a democratic transition to legitimate his rule. In December 2004, a new Constitution was adopted by referendum, setting the stage for Presidential elections.<sup>33</sup> Twelve candidates announced their intention to run, including President Bozizé, his Prime Minister Abel Goumba, former Presidents André Kolingba and Ange-Félix Patassé, and four former Ministers of the Patassé presidency.<sup>34</sup>

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<sup>31</sup> According to UNFPA, the estimated 2007 population of CAR is 4,216,666. UNFPA, "Population Projection for CAR, 2007". The estimated populations of the affected provinces are: 390,641 for Ouham, 445,483 for Ouham-Pendé, and 124,651 for Nana-Grébizi, for a total of 960,775 persons. UN OCHA, "Central African Republic Factsheet", February 2007, <http://ocha.unog.ch/humanitarianreform/Portals/1/cluster%20approach%20page/training/CSLT%20March%2007/best%20practices/CAR%20Fact%20Sheet.pdf> (accessed July 11, 2007). One-hundred-two thousand persons are believed to be displaced by the conflict in the northwest: 30,000 from Ouham, 37,000 from Ouham-Pendé, and 35,000 from Nana-Grébizi. UN OCHA, "Central African Republic Fact Sheet", June 2007, [http://ochadms.unog.ch/quickplace/cap/main.nsf/h\\_Index/MYR\\_2007\\_CAR/\\$FILE/MYR\\_2007\\_CAR.doc?OpenElement](http://ochadms.unog.ch/quickplace/cap/main.nsf/h_Index/MYR_2007_CAR/$FILE/MYR_2007_CAR.doc?OpenElement) (accessed July 11, 2007).

<sup>32</sup> Constitutional Act No. 1, dated March 15, 2003.

<sup>33</sup> The new Constitution, the sixth constitution in CAR's post-independence history, was promulgated by President Bozizé on December 27, 2004, after a referendum that approved the new constitution with an 87 percent "yes" vote.

<sup>34</sup> The four former Ministers of Patassé's Presidency were: Jean-Jacques Démafouth, a former Minister of Defense; Jean-Paul Ngoupandé and Martin Ziguélé, both former Prime Ministers, and Charles Massi.

The nomination process quickly became marred in controversy when the Transitional Constitutional Court announced on December 30, 2004 that only five of the 12 candidates—Bozizé, Kolingba, Goumba, Henri Pouzère, and Auguste Boukanga—would be allowed to stand, thus excluding former President Patassé and his former ministers from the election process, basing itself on technical issues such as the illegibility of former President Patassé’s birth certificate. Amidst political and diplomatic protests, President Bozizé unilaterally announced on January 4, 2005 that he would allow three of the seven excluded candidates—former Patassé ministers Ziguélé, Ngoupandé, and Massi—to stand, but still excluded former President Patassé and three other candidates. Bozizé justified his exclusion of President Patassé and Patassé’s former Defense Minister, Démafouth, on the grounds that they were being prosecuted for “blood crimes and economic crimes.”<sup>35</sup> After mediation by Gabonese President Bongo, 11 of the 12 Presidential candidates were allowed to stand, excluding only former President Patassé.

After two rounds of voting in March and May 2005, President Bozizé was elected President with a vote of 65 percent against his run-off candidate Martin Ziguélé’s 35 percent. While the voting itself was generally welcomed as free and fair by the international community, the exclusion of Patassé’s candidacy was seen as unacceptable by loyalists who soon launched a rebellion in northwestern CAR. Wafio Bertin, the APRD’s economic and political advisor, and APRD area commander of the Paoua-Boguila axis, told Human Rights Watch: “I joined the APRD in the beginning, in April 2005. The APRD was formed after the election of Bozizé, because the election was rigged. Some of those who formed the APRD were in the Presidential Guard of Patassé. All of those who were around Patassé were persecuted [at that time.]”<sup>36</sup> As President Bozizé was about to be sworn into office, in June 2005, armed rebels began clashing with government troops in northwestern CAR, Patassé’s home area.<sup>37</sup>

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<sup>35</sup> FIDH, “Forgotten, Stigmatised,” p. 44.

<sup>36</sup> Human Rights Watch interview with Wafio Bertin, Boja, February 15, 2007.

<sup>37</sup> “8,000 Central Africans flee to southern Chad in fresh exodus from fighting,” *IRIN*, June 15, 2005.



## ***Zaraguinas* and Chronic Insecurity in Northwestern CAR**

However, the rebellion in the northwest is not just related to a political power struggle between President Bozizé and the supporters of ex-President Patassé. The current crisis is also a product of a longer-term situation of chronic insecurity endured by the civilian population who are preyed upon by bands of heavily armed bandits popularly known as *zaraguinas* or *coupeurs de route* (road bandits), made up of CAR nationals and nationals from neighboring countries, especially Chad.

*Zaraguinas* have long operated in the CAR-Cameroon-Chad border areas, mainly attacking travelers on the road and occasionally raiding villages for loot. In recent years, bandit groups have taken advantage of the relative security vacuum in the northwest to expand their attacks against civilians and on villages. *Zaraguinas* also kidnap young children for ransom, which is their most lucrative criminal activity. They target herders, especially the nomadic Peulh communities, who have wealth in the form of their cattle which can be sold for ransom. André Yokandji, the Chief of Tantalé, explained to Human Rights Watch:

The *zaraguinas* attack the houses but their main targets are the children. They take the children as hostages. The parents are forced to sell their livestock to pay for the ransom and free their children.... After an attack in October 2006 four children were still missing. They belonged to the same extended family. The *zaraguinas* asked for 1 million CFA (US\$ 2,000) for the four of them. They mentioned a meeting place to the family, and a woman went to negotiate. They gave a one-week deadline. We didn't inform the FACA neither the Gendarmes, we were afraid of retaliation. The families sold its cows, paid, and got their children back last January.<sup>38</sup>

Repeated kidnappings have been one of the major reasons for the displacement of the nomadic population in northwestern CAR to the larger towns, a pattern of displacement distinct from that caused by the security force reprisals, which cause the civilian population to seek safety in the bush (see below).

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<sup>38</sup> Human Rights Watch interview, André Yokandji, Chief of Tantalé village, Bozoum, February 12, 2007.

Villagers and local officials both report that the FACA has failed to provide civilian protection. The chief of Tantalé village, which has been attacked several times, explained that they have no security, no capacity to defend themselves, and would like a permanent presence of FACA soldiers.<sup>39</sup> The increase in attacks by *zaraguinas* has led some communities to form self-defense units in their villages. These self-defense units—and the objective of protecting villagers from banditry—form an important element of the APRD rebel movement.

Local authorities acknowledge the current incapacity of the FACA to fight efficiently against the *zaraguinas* and to provide security for the population. Some recognize that the *zaraguinas* have virtually disappeared from areas where the APRD rebels are present, and that the departure of APRD rebels would probably lead to an upsurge in *zaraguina* attacks. Léonard Bangué, the mayor of Bozoum,<sup>40</sup> told Human Rights Watch that he had never heard of a confrontation between the FACA and the *zaraguinas*, explaining that the FACA always show up too late after an attack. Moreover, the subprefect of Kabo stated that, should the APRD rebels pull out of his area, the *zaraguinas*, who were previously very active in his jurisdiction, would likely return to attack the population.<sup>41</sup> Hence, resolving the northwestern insurgency will require addressing the security vacuum faced by the population in northwestern CAR.

The security situation throughout northern CAR is further complicated by long-standing tensions over grazing rights, migration routes, and access to water sources between the local farming communities and nomadic tribes from CAR, Chad, and Sudan, such as the Peulh, Bororo, Mbarara, Fulata, and other Chadian and Sudanese nomadic tribes. Such tensions are reminiscent of similar factors contributing to conflict in Darfur and are readily exploitable by parties seeking to create further instability.

In 2002 tensions between local farmers and Sudanese nomads in the Birao-Boromata area of Vakaga province broke out into open conflict, resulting in hundreds of deaths and widespread destruction. Tension and attacks continue

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<sup>39</sup> Human Rights Watch interview with André Yokandji, chief of Tantalé village, Bozoum, February 12, 2007,

<sup>40</sup> Human Rights Watch interview with Léonard Bangué, Mayor of Bozoum, February 12, 2007

<sup>41</sup> Human Rights Watch interview with Jean-Marie Nguakouzou, subprefect of Kabo, February 20, 2007

across the region. According to an international humanitarian organization and an international television report, as many as 56 local villagers were killed by Sudanese nomads in a village of Massabo, outside Boromata in February 17, 2007, a serious attack that went virtually unnoticed by the international community.<sup>42</sup> Human Rights Watch also documented fighting between local communities and Chadian nomads identified as Fulata in the Kabo-Ouandago area of Ouham province, resulting in the deaths of several people and the burning of villages in 2006 and early 2007.

### **Make-up of the APRD rebel movement**

Almost all the APRD's commanders that Human Rights Watch met in northwest CAR in February 2007 were former members of ex-President Patassé's Presidential Guard, although there were some with no military background who had joined in response to attacks by security forces against the local population. Although APRD leaders deny any direct contacts with ex-President Patassé, they acknowledge being in touch with some of Patassé's close associates. Incorporated local self-defense units also form a strong component of the rebel force. It has two main areas of operations: The Paoua-Boguila-Markounda area of Ouham and Ouham-Pendé provinces, and the Batangafo-Kabo-Ouandago-Kaga Bandoro area of Ouham and Nana-Grébizi provinces.

The APRD numbers about 1,000 members, according to its officials. In general, APRD rebels are poorly armed and equipped. Most rebel groups encountered by Human Rights Watch consisted of 10 to 15 persons, with only the unit commander armed with an automatic weapon, and the others bearing home-made hunting weapons. According to Bertin Wafio, economic and political advisor of the APRD, only about 200 of its 1,000 soldiers have AK-47 semi-automatic rifles.<sup>43</sup> APRD rebels seen by Human Rights Watch were dressed in civilian clothes or a variety of military outfits,

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<sup>42</sup> Human Rights Watch interview (name and place withheld), March 1, 2007. Nick Paton Walsh, "France's African War?," Channel 4 news (UK), June 25, 2007, [http://www.channel4.com/news/articles/politics/international\\_politics/frances+african+war/575987](http://www.channel4.com/news/articles/politics/international_politics/frances+african+war/575987) (accessed July 11, 2007).

<sup>43</sup> Human Rights Watch interview with Bertin Wafio, Boja, February 15, 2007.

and were often barefoot. Many did not have ammunition for their guns. The APRD does not appear to possess any military vehicles or heavy weaponry.<sup>44</sup>

APRD leaders vigorously denied receiving any outside support for their rebellion, either from State sponsors such as Sudan or Chad, or from private individuals. The poor state of the rebels' weaponry does not suggest any significant foreign assistance to the APRD, as most weapons seen by Human Rights Watch were obviously home-produced.<sup>45</sup>

The APRD does not appear to have a developed political program—even the economic and political adviser, Bertin Wafio, struggled to define the APRD's political program to Human Rights Watch. According to Wafio, the APRD came into existence in response to Patassé's exclusion from the 2005 Presidential elections, but the main APRD aim is to restore peace and security in the north. Wafio denied that the APRD wanted to overthrow the government of President Bozizé, stating instead that it merely sought a political dialogue to resolve security issues and political grievances in the northwest.

#### *Ouandago: A Case Study in Human Rights Violations and Conflict*<sup>46</sup>

The recent situation around one particular place, Ouandago, one of the larger towns in the area, is a striking example of the complexity of the conflict dynamics in northwestern CAR.

Ouandago, which is located in the Batangafo-Kabo-Ouandago “triangle”, has a peacetime population of 12,000 persons living in 17 separate neighborhoods, each with its own chief. Like many other areas in the northwest, Ouandago began experiencing increasing problems with *zaraguina* bandits following Bozizé's March

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<sup>44</sup> International officials interviewed by Human Rights Watch do not believe the APRD possesses any military vehicles or heavy weapons.

<sup>45</sup> Those which were not home produced were likely to have been looted from government stocks. Many of the initial attacks of the APRD focused on small military and gendarmerie outposts which were looted of weapons and then destroyed. Since the APRD command consists mainly of former Patassé Presidential Guard troops, pro-Patassé troops most likely also took their personal weapons with them when they deserted after Bozizé took power.

<sup>46</sup> This is based on extensive interviews conducted in the Ouandago area with local residents, local and international humanitarian officials, and APRD rebel officials.

2003 coup, when these groups expanded their attacks from targeting travelers to attacking towns and villages.<sup>47</sup>

On June 28, 2006, a gang of 20 *zaraguinas* armed with AK-47s attacked Ouandago in the middle of the night. The attackers, who appear to have been Chadians, speaking Ouda, Foulbé, and Chadian Arabic, looted the market and withdrew loaded with goods. The same group remained in the area over the next months, carrying out raids on other villages, including Outa, Bissikebbo, and Kia. According to the town's residents, although the villagers approached FACA commanders for protection, soldiers did not come to rid the area of the *zaraguinas* or provide effective protection for the civilian population.

On August 19 and 20, the *zaraguinas* returned to Ouandago. Nine villagers were abducted, forced to show where livestock was being kept, and then, on August 20, murdered, with their bodies dumped in the bush. The bandits left the area with large numbers of cows and heavy loads of loot.

Unable to secure FACA protection, the villagers now sought out the assistance of the APRD, who brought hundreds of fighters to Ouandago and pursued the *zaraguinas*, clashing with them twice before chasing them out of the area and recovering the bodies of the nine missing villagers. To date, the APRD continues to aggressively patrol the area under its control to prevent *zaraguinas* from operating there—several APRD patrols encountered by Human Rights Watch stated they were on a mission to look for *zaraguinas*.

In response to the heavy presence of APRD rebels, a combined FACA and gendarme group attacked rebel positions in Ouandago around midday on October 5, 2006. After a two hour gun battle in which a FACA officer was killed, the APRD rebels withdrew. The FACA chased the rebels, killing one some 15 kilometers from the town.

The FACA force asked for reinforcements from a GP unit, commanded by Lieutenant Ngaïkossé, which was then based at Kabo, just a few hours drive north. The GP

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<sup>47</sup> See Paul Melly, "Central African Republic: Insecurity in the Regions Bordering Cameroon", UNHCR Writenet Report, June 2005, <http://www.unhcr.org/publ/RSDCOI/440573a04.pdf> (accessed July 11, 2007)

soldiers headed for Ouandago immediately, detaining five young civilian men—Idriss Balingao, 29; Pascal Béadé, 30; Nestor Mobété, 32; Gervain Kangbé, 25; and Benjamin Mbéna, 35—on their way, arriving on the evening of October 5. The detainees were kept in custody until October 7, when GP troops extrajudicially executed them in front of the medical center as they were preparing to leave town. The bodies were found and buried by returning villagers on October 8. A relative of one described to Human Rights Watch coming back to see the bodies:

The hands of [my relative] were in handcuffs, tied behind his back. I can't say how many bullets hit him. The five bodies were together. All of them were handcuffed.<sup>48</sup>

On October 6, the FACA and GP troops looted and burned down many neighborhoods of Ouandago. According to the local Red Cross, 1,042 houses, 60 warehouses, 19 kiosks, and the local Gendarmerie were all torched. From October 8 to 10, the soldiers mainly operated outside the town. On October 10, as they returned to Ouandago, the FACA and GP soldiers killed two farmers who were working their fields. The soldiers established a base and remained about a week in the town, freely taking and slaughtering animals. Although FACA and GP troops on occasion pass through Ouandago, since then they have not had a presence in the town. APRD rebels are almost always present in Ouandago, basing themselves quite openly in the main market area.

Although when Human Rights Watch visited Ouandago town residents did not complain about the behavior of the APRD based in their midst—perhaps out of fear of retaliation—villagers all around Ouandago complained bitterly that APRD rebels took their livestock and extorted money from them on an almost weekly basis. Many of the villages in the area, particularly those on the Ouandago-Batangafo road which is closed to commercial traffic, report that almost all of their livestock had been stolen by APRD rebel bands and said that their village chiefs were repeatedly kidnapped by rebels seeking ransom (see next section for further details).

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<sup>48</sup> Human Rights Watch interview (name withheld), Ouandago, February 19, 2007.

## Abuses by the CAR security forces

Human Rights Watch research indicates that the vast majority of major human rights abuses in northwestern CAR have been committed by government security forces, in particular the Garde présidentielle (GP) unit based at Bossangoa.

The GP and regular army troops have been responsible for a reign of terror. Hundreds of civilians have been summarily executed since the beginning of the rebellion, and many thousands of homes have been burned. The violation of human rights by the security forces follows a predictable pattern. After almost every rebel attack, the FACA or more commonly GP units arrive in the affected area, force the civilian population to flee by firing indiscriminately at them, and then burn down their houses. Persons suspected of being rebels are detained, and many have been summarily executed. Such indiscriminate attacks against the civilian population in response to rebel attacks constitute unlawful acts of reprisal, specifically outlawed under the laws of war, which also forbids the use of collective punishment, terrorism, and pillage as tactics of war.<sup>49</sup>

Atrocities committed by government security forces have created a major humanitarian crisis in northwestern CAR. At least 102,000 civilians have been driven from their homes by direct reprisal attacks against their villages into hiding deep into the bush, many remaining there more than a year after their villages were attacked.<sup>50</sup> The feeling of fear in the northwest is palpable, with civilians fleeing at the sound of approaching cars. Visiting Paoua, the group of vehicles of which Human Rights Watch was a part of encountered another humanitarian convoy talking to villagers in a remote village.<sup>51</sup> At the sound of approaching vehicles, every last one of the local

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<sup>49</sup> Such prohibitions are a matter of customary international humanitarian law for both international and non-international armed conflict and explicitly articulated in Additional Protocol II of the Geneva Conventions applicable in non-international armed conflict, Article 4 (2), as well as Geneva Convention IV, Article 33, and Additional Protocol I to the Geneva Conventions, Article 51.

<sup>50</sup> UN OCHA, "Central African Republic Fact Sheet," February 2007, <http://ocha.unog.ch/humanitarianreform/Portals/1/cluster%20approach%20page/training/CSLT%20March%2007/best%20practices/CAR%20Fact%20Sheet.pdf> (accessed July 11, 2007). According to OCHA, 30,000 people have been displaced from Ouham, 37,000 from Ouham-Pendé, and 35,000 from Nana-Grébizi. The percentage of displacement ranges from 7.6 percent (Ouham) to 28 percent (Nana-Grébizi).

<sup>51</sup> This second convoy included Mia Farrow, UNICEF's goodwill ambassador, and accompanying staff.

civilians began running away, only returning after Human Rights Watch's convoy stopped and the villagers realized it was not military.

### *Summary Executions and Unlawful Killings*

Since the beginning of the conflict in mid 2005, the FACA and the GP have carried out summary executions and unlawful killings of civilians on a widespread scale. Killing sprees and brutal murders committed by the CAR security forces have often resulted in dozens of civilian deaths on a single day. For example, on February 11, 2006, GP forces killed at least 30 civilians in various villages between Nana-Barya and Bémal, and on March 22, the same GP unit beheaded a teacher in Bémal village, cutting off his head with a knife while he was still alive.

During the course of its three weeks of research on the ground, Human Rights Watch researchers documented a total of 119 summary executions and unlawful civilian killings committed by the CAR security forces since December 2005. However, Human Rights Watch believes the total number of such killings committed by CAR security forces since the outbreak of conflict in mid-2005 to be much higher—probably in the hundreds—as researchers were only able to document a fraction of the incidents that have occurred.

In addition to “known” killings, where bodies have been recovered, civilians have also been victims of enforced “disappearances,” where they have been taken into custody and their fate is unknown, or they were last seen alive in the custody of CAR security forces and are assumed to have been executed, although their bodies have not been recovered. Osée Yinguissa, 27, a father of three, was detained at 9 a.m. on December 10, 2006, by FACA soldiers at the central market in Kaga Bandoro and taken to the Gendarmerie in town. In the late afternoon, he was seen being driven out of town with other unknown detainees. None have been seen or heard of since. It is believed that the men were executed in an unknown place.<sup>52</sup> In July 2006 Sylvain Tamkimaj, 28, went from Gbaïzera to Batangafo to buy soap and other supplies at

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<sup>52</sup> Commission Diocésaine Justice et Paix, “Atrocities Committed by FACA in the Kaga Bandoro region, October-10 December 2006” (Exactions commises par les FACA dans la région de Kaga Bandoro, Octobre-10 Décembre 2006,) undated.



the market. He was detained by FACA and soon disappeared, never to be heard from again.<sup>53</sup>

The large number of executions and unlawful killings documented in this report, many of them carried out in public, show that the soldiers responsible for such killings have no fear of being held accountable for their crimes by their superiors or the Central African Republic authorities. Many of the cases documented have been widely reported by the vocal local press within CAR, so there is no doubt that the highest authorities in CAR, including the Commander-in-Chief, President General Bozizé, are fully aware that atrocities are being committed by their troops. Superior officers have a responsibility to act to stop abuses by their troops and can be held accountable for the actions of their troops under the principle of command responsibility.<sup>54</sup>

A vast number of the killings and village burnings documented by Human Rights Watch have been committed by a single unit, the GP unit based at Bossangoa, which until January 2007 was commanded by Lieutenant Eugène Ngaïkossé, before his transfer to a new command in Bossentélé. Out of the 119 executions and unlawful killings documented by Human Rights Watch, at least 51 were committed by this single GP unit. Neither Lieutenant Ngaïkossé nor any of his troops have been held accountable for their crimes, or even disciplined within the army. Three FACA officers interviewed by Human Rights Watch all acknowledged the level of atrocities committed by the GP, but described them as “untouchable.” One linked this impunity directly to President Bozizé, telling Human Rights Watch: “Everyone knows there is impunity, but the President makes these decisions.”<sup>55</sup> A senior officer told Human Rights Watch, “What we need is to stop this impunity. The problem is that these renegade commanders are not prosecuted.”<sup>56</sup>

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<sup>53</sup> Human Rights Watch interview (name withheld), Gbaïzera, February 20, 2007.

<sup>54</sup> The criminal responsibility of commanders is a long-standing rule of customary international law and is articulated in Article 86 (2) of Additional Protocol I to the Geneva Conventions.

<sup>55</sup> Human Rights Watch interview with FACA officer (name and place withheld), February 16, 2007.

<sup>56</sup> Human Rights Watch interview with FACA officer, (name, date, and place withheld).

However, it is clear that while some senior CAR military officials are disgusted with the widespread killings and village burnings, this does not mean that such killings and village burnings are simply the actions of rogue military units. The fact that such killings and village burnings have been allowed to continue since at least December 2005 until today, suggests at minimum tacit approval of the reprisals against the civilian population by CAR's leadership. Perhaps the most appropriate summary of what has been happening in northern CAR and the role of the GP was given to Human Rights Watch by a religious leader: "Ngaïkossé and his men specialize in the dirty work."<sup>57</sup>

The culture of impunity for serious abuses such as summary executions is pervasive, even applying in the capital, Bangui. The Central Office for the Repression of Banditism (*Office central de répression du banditisme*, OCRB), a paramilitary police unit set up to deal with "banditry" in the capital, carries out summary killings of suspected "rebels" and "bandits" with disturbing regularity, often in public with no attempt to cover their tracks. On February 13, 2007, OCRB officers publicly extrajudicially executed two handcuffed Chadian *ex-libérateurs* just five kilometers from the center of Bangui, after arresting them at a market checkpoint.<sup>58</sup> These killings sparked a large protest by thousands of Chadian residents in Bangui, but did not result in any charges against those responsible. They have not even led to a cessation of French cooperation with the OCRB. On March 3, two weeks after the executions, Human Rights Watch observed two French gendarmes meeting with OCRB members outside the OCRB headquarters as five half-naked and obviously beaten "bandit" detainees were being transferred between cells right next to them.

### **Execution of Benjamin Mbaigoto, Martin Yalissey, and Bonaventure Danyo, and four other persons, Bodjomo, December 29, 2005**

On the early morning of December 28, 2005, a group of about 100 APRD rebels launched an unsuccessful attack on the village of Bodjomo, located 25 kilometers southeast of Markounda. The same day, FACA reinforcements arrived at Bodjomo from Markounda and began burning villages. Early on the morning of December 29,

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<sup>57</sup> Human Rights Watch interview with religious leader, (name, date, and place withheld).

<sup>58</sup> "Centrafrique: Manifestation de Tchadiens à Bangui," Reuters, 14 February 2007.

the FACA forces were reinforced with the arrival of Lieutenant Eugène Ngaïkossé's GP unit.

Two adult civilians and a child—Benjamin Mbaigoto, 35, Martin Yalissey, 45, and Bonaventure Danyo, 10—were detained by the GP unit at the village of Bobéré, five kilometers southwest from Bodjomo, apparently as the unit was making its way to the village. As the unit arrived in Bodjomo, they executed the three detainees.

Over the next days the GP unit and the FACA soldiers proceeded to burn many of the surrounding villages, shooting dead at least four other civilians who were unable to flee quickly: Paul Bénandé in Kadjama Kota, Simon Ngotinga in Bélé, Iphonse Mayade in Galé II, and Sébastien Ngaba in Galé I.

### **Killing of at least 33 civilians, Paoua, January 29-31, 2006**

At about 11 a.m. on January 29, 2006, a group of about 100 APRD rebels attacked government positions in the town of Paoua. According to witnesses interviewed by Human Rights Watch, the APRD rebels were unkempt and poorly dressed, and most were armed with home-made hunting weapons, spears, knives, stones, and a few AK-47s.<sup>59</sup> The rebels attacked and ransacked the offices of the Gendarmerie; the homes of the police commissioner, the secretary-general of the subprefecture, and the subprefect; the tax office; the office for the management of water and forests; the court building; the prison; the police station; the mayor's office; and the office for youth and sport, looking for weapons and other loot. The shops in the market and private homes were not looted by the rebels, who appeared focused on finding weapons.<sup>60</sup>

After initially retreating, the local FACA soldiers noticed that the APRD rebels were poorly armed and mounted a counter-offensive, quickly putting the rebels to flight. After the rebels had fled, however, the FACA soldiers began randomly firing at young men throughout Paoua. According to a report prepared by a local humanitarian

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<sup>59</sup> Human Rights Watch interview with local humanitarian official (name withheld), Paoua, February 13, 2006; Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report and Summary of the Events of Sunday, January 29, 2006," (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated.

<sup>60</sup> Ibid

organization: “After the retreat of the rebels along the roads from which they had come, the FACA soldiers systematically hunted down all the young men they could find in the neighborhoods. It was during this operation that a number of heads of families mistaken for rebels were killed, by gunshots at close range.”<sup>61</sup>

In the aftermath of the rebel attack, on January 29 and January 30, FACA soldiers shot dead at least 27 people, although the actual death toll is believed to have been significantly higher because many bodies were never recovered and buried as the population fled into the bush. The vast majority were killed while trying to flee. Florentin Djember, 18, a shopkeeper at the market, was shot dead by FACA soldiers in front of several witnesses after he went to the market to retrieve goods after the fighting had calmed down.<sup>62</sup> Other civilians shot dead by the soldiers that day include: Vincent Bozoko, a father of five; Apollinaire Béro; Lucien Béréo, 24; Gbanono Abba; Joseph Béninga, a father of seven; Basile Béatem; Bruno Sembai, 24; and Sorro (first name unknown).<sup>63</sup> FACA soldiers took two wounded persons from the Paoua hospital on January 29, and executed them in front of the hospital.<sup>64</sup> At least seven other civilians were wounded by FACA bullets.<sup>65</sup>

FACA soldiers also arrested and brutally beat at least eight detainees following the January 29 attack, beating six of the detainees to death. Frédéric Ganoni, a 27-year-old student at the Lycée, was arrested by the FACA soldiers at about 3 p.m. on January 29, together with his younger brother, Apollinaire Bissi, a 22-year-old farmer. After being kept overnight tied up by the roadside, the two detainees were taken to

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<sup>61</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, “Report and Summary of the Events of Sunday, January 29, 2006,” (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated.

<sup>62</sup> Human Rights Watch interview with local humanitarian official (name withheld), Paoua, February 13, 2006.

<sup>63</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, “Report and Summary of the Events of Sunday, January 29, 2006,” (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated.

<sup>64</sup> Confidential information on file with Human Rights Watch.

<sup>65</sup> Prior to visiting the country, Human Rights Watch was aware of reports that 17 schoolchildren had been summarily executed by FACA soldiers at the Lycée (college) in Paoua in January 2006 (see FIDH, “Forgotten, Stigmatized,” p. 50, and Amnesty International, “Central African Republic: Government Must Take Action Against Soldiers Who Killed Injured and Displaced Unarmed Civilians in the Northwest, April 5, 2006). Despite extensive investigations and a visit to the Lycée, Human Rights Watch was unable to confirm these reports. According to the officials at the Lycée, no students died at the college during the January 29 attack and its immediate aftermath. However, they reported that two 15-year-old students were killed by Presidential Guard troops at Béogombo on February 11, 2006.

the FACA base the next morning. Ganoni recalled to Human Rights Watch what happened at the base:

At the base, they tied my arms behind my back and also my legs, *arbatachar* style.<sup>66</sup> They cut me with razor blades on my arms. We were a total of eight youngsters who were detained, and they beat us for a long time. They beat us with their batons. The whole time they asked us questions: were we married, did we work, were we ever in the army, were we with the rebels? I kept saying no. There were many soldiers, a few would beat us and then others would come. We spent two days like this.

Five of us died from the beatings on the first day. ...The Abbé from the church came to see us the second day, and then they let us go. He took us to the hospital, and my younger brother died from his wounds on February 9. I was at the hospital for a long time and even had to go to Bangui for treatment. They had to remove [infected broken] bones from both my front arms. There still is a big unhealed wound on my foot. I still can't use my hands because of the *arbatachar* tying.<sup>67</sup>

The FACA soldiers burned the corpses of the five men beaten to death at their base.<sup>68</sup> When Human Rights Watch located Ganoni, more than a year after his ordeal, he was severely and permanently disabled because of the severe beating, having lost bones in his forearms, and was unable to use his hands.

### **Killing of at least 30 civilians, Nana Barya to Bémal, February 11, 2006**

On the morning of February 11, the GP unit based at Bossangoa, led by Lieutenant Eugène Ngaïkossé, arrived in the Nana Barya area in three vehicles, heading north towards the Boguila-Bémal road. On a single day, the unit attacked dozens of roadside villages, firing randomly and causing at least 28 civilian deaths in at least a

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<sup>66</sup> *Arbatachar* is a common form of torture in the region. It consists of tightly tying the forearms and legs of a detainee behind his back, similar to "hog-tying". The tight ropes cut off circulation and can result in permanent disability.

<sup>67</sup> Human Rights Watch interview with Frédéric Ganoni, Paoua, February 14, 2007.

<sup>68</sup> *Ibid.* The burning of the bodies was further confirmed by other sources.

dozen locations. The impact of the one-day shooting spree was devastating: some 120 villages situated along the Boguila-Bémal-Markounda R1 road were completely abandoned for months after the offensive, their population having fled into the bush.<sup>69</sup>

The mayor of Bémal recounted to Human Rights Watch what had happened in his village:

The Presidential Guards came to attack on February 11. They killed two people here: Luc Mouabé, 48, an active police officer, and Dominique Diyafara, who worked at the customs office. When the Presidential Guard arrived at about 1 p.m., the people started fleeing and they just shot at them. But Mouabé, the policeman, went towards them [as a police official] and they shot him. They looted the hospital, took bicycles and many other things; they also looted the houses, but they didn't burn them. Since then, we have been staying in the bush, all 1,800 people of Bémal. Ngaïkossé was with them, as was his deputy Abdoulayé.<sup>70</sup>

That day the same pattern of deadly attacks was repeated in village after village on the Boguila-Bémal and Bémal-Bébouira roads. In Béogombo III, members of the GP shot dead Bondouboro Kouro and four other civilians, and wounded another two. In Békoro, the soldiers asked Mathias Ndobi to approach their car and then shot him dead. Eight civilians were shot dead in Bédoro, including the village chief Grégoire Djanayang, Joseph Béninga Gawa, Clément Ndokiyai, Jackson Loban, fifth grade student Wilfred Béré, Lotar (first name unknown), and two unidentified persons.

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<sup>69</sup> FIDH, "Forgotten and Stigmatised," p. 50; Confidential information on file with Human Rights Watch.

<sup>70</sup> Human Rights Watch interview (name withheld), Bémal, February 14, 2007. According to the mayor, a year after the attack, only 300 to 400 of the 1,800 residents of Bémal were sleeping in their homes at night, the rest remaining in the bush or having fled to Chad. Human Rights Watch found no information to support the contention by FIDH and others that 13 schoolchildren were killed that day by Presidential Guard troops in Bémal, as the village mayor did not mention these deaths and they are not listed amongst the victims of that day's killings in the Red Cross report.

Béamadji Nbairam was killed by the troops in Béogombo II, and Béré Lamadje was killed in Béganguero.<sup>71</sup>

Three people were shot dead in Bendoulabé: two minors, Eric Guelno and Ndonai Dabtar, both fourth grade students, and Luther Bérayang Bobet (age unknown). In Bésa, members of the GP killed three civilians: Gaston Col, a blind man, Joseph Marboua, a demobilized soldier, and Benjamin Rogaguem. In Kébbé, they shot dead Alfred Nadji and seriously wounded his seven-year-old son, Blaise, who survived. Sévérin Djasrabé, a student, Richard Ndouba, and Théophile (family name unknown) were shot dead in Bongaro I. In Boya, two unidentified men were killed.<sup>72</sup> It is likely that there were additional deaths that went unrecorded by the sources identified by Human Rights Watch.

#### **Killing of Four Civilians and Beheading of Léon Roman, Bémal, March 15-22, 2006**

Following a March 15 attack on a commercial truck near the Chadian border by unidentified gunmen, the Bossangoa-based GP unit led by Lieutenant Eugène Ngaïkossé returned to the Boguila-Bémal area. As with their February 11 attacks, the GP unit again killed a number of civilians as they passed through villages, indiscriminately shooting at fleeing civilians. Serge Feidangai Mahamat, a woodworker, was shot dead in Bétoko on March 15; Doumbé (family name unknown) was shot dead in Béboy 1 on March 16; and Sabin Diadiam and Salomon Ndobi were shot dead in Kébbé on March 22.<sup>73</sup>

At about 7 p.m. on the evening of March 22, about 75 GP troops led by Lieutenant Ngaïkossé arrived in three pickup trucks in Bémal. Almost the entire population of the village was already living in the bush, but most of those who remained in the village took flight. The soldiers spent the night in the village. At about 6 a.m. the next

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<sup>71</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report and Summary of the Events of Sunday, January 29, 2006," (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated; confidential information on file with Human Rights Watch.

<sup>72</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report and Summary of the Events of Sunday, January 29, 2006," (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated; confidential information on file with Human Rights Watch.

<sup>73</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report and Summary of the Events of Sunday, January 29, 2006," (Rapport et Synthèse Des Evénements Survenus le Dimanche 29 Janvier 2006) undated; IFRC, "Chad: Central African Refugees Information Bulletin," vol. 1 2006, March 2, 2006; confidential information on file with Human Rights Watch.

morning, the village teacher, Léon Roman, went to the market to get tobacco and was stopped on his way home. After tying up Roman, the GP troops beheaded him by cutting off his head with a knife: “We could hear him screaming,” one of his relatives recalled to Human Rights Watch. The soldiers put the severed head in a bag, apparently intending to take it with them, and then left it behind 100 meters from the corpse as they left towards Bétoko. Villagers found Roman’s headless corpse and his head in the bag shortly after the troops departed.<sup>74</sup>

### **Execution of Christophe Doroma, Marc Kabo, and Didier Zaura, Gbaïzera, late May 2006**

In early May 2006 APRD rebels took control over a series of villages on the Batangafo-Kabo road, concentrating several hundred APRD rebels in the larger village of Gbaïzera. On May 5, FACA forces arrested eight persons from Bamara Kase village, located a few kilometers from Gbaïzera, including the village chief and his son, a 25-year-old woman, and 22-year-old Christophe Doroma, a visitor from Gbaïzera. The detainees were taken to the Gendarmerie jail in Batangafo, where they were kept in detention for three weeks and received almost daily beatings. One of the former detainees recalled the beatings and said the female detainee was raped by the soldiers:

We were beaten each day, for the entire three weeks we were kept. They didn’t ask us anything about the rebels. ... They also beat the woman, they abused her. She was raped: they took her away, beat her, and then they slept with her, several of them.<sup>75</sup>

According to the relatives of Christophe Doroma, the other families of the detainees managed to obtain their release after three weeks by paying the FACA a bribe of 10,000 CFA (\$20) per detainee. Doroma’s family was unable to get the money on time and also had a more difficult time traveling to Batangafo from rebel-controlled Gbaïzera.<sup>76</sup>

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<sup>74</sup> Human Rights Watch interview, victim’s relative, (name withheld), Bémal, February 14, 2007; confidential sources on file with Human Rights Watch.

<sup>75</sup> Human Rights Watch interview, former detainee (name withheld), Bamara Kase, February 20, 2007.

<sup>76</sup> Human Rights Watch interview with relative of Christophe Doroma, (name withheld) Gbaïzera, February 20, 2007.



On May 22 or 29, 2006,<sup>77</sup> FACA soldiers arrived in front of the church in Gbaïzera at about 3 p.m. They took Christophe Doroma and two other young men out of their vehicle, executed them in front of the church, and drove off.<sup>78</sup> Human Rights Watch later established that the other two young men executed that day were Marc Kabo and Didier Zaura from Zoumanga village, located on the Kabo-Ouandago road, who had been detained earlier by FACA while riding their bicycles to Kabo to sell goats and honey. Kabo and Zaura had also been held in Batangafo before being executed in Gbaïzera.<sup>79</sup>

### **Execution of Placide Bamandia, Nganaoui Voudakpa, Elias Yambassa, and Georges Bamandia, Kpokpo, September 11, 2006.**

Placide Bamandia, aged 32 (father of one), Nganaoui Voudakpa, 23 (father of one), Elias Yambassa, 27 (father of four), and Georges Bamandia, 37 (father of three) were all hunters and fishermen and had been away from their homes in the Kaga Bandoro area for three months, hunting and fishing in the Bamingui-Bangoran province, when they returned to Kaga Bandoro on September 10.<sup>80</sup> The men were unaware that FACA soldiers had deployed in the area during their absence.

At around 8 p.m. on December 10, 2006, the four men were detained by FACA soldiers at the Sérébanda bridge and taken to the Gendarmerie offices in Kaga Bandoro (where the FACA soldiers were based). At 1 a.m. on December 11, the soldiers took the four men to Kpokpo, located 10 kilometers from Kaga Bandoro, and shot them. Georges Bamandia survived the execution with serious injuries and was left for dead.

At about 8 a.m. in the morning, with the assistance of a passerby, the wounded Bamandia managed to make his way to his parents' home in Ndomété and took them to the bodies of his fellow hunters. While they were at the killing site, a military

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<sup>77</sup> The family was certain Doroma was killed on a Thursday in late May, but was uncertain of the exact date.

<sup>78</sup> Human Rights Watch interview with Michel Djabatobayé, Gbaïzera, February 20, 2007; Human Rights Watch interview with relative of Doroma, (name withheld), Gbaïzera, February 20, 2007.

<sup>79</sup> Human Rights Watch interview with Dieudonné Lomanga, Zoumanga, February 21, 2007.

<sup>80</sup> In northern CAR, such extended hunting and fishing trips are common. The meat and fish collected is smoked and dried, and then sold in town upon return.

truck arrived, apparently to dispose of the dead. After arguing with the civilians, the soldiers killed the wounded Bamandia and threw his body into a pit toilet before burying the other three men in a communal grave.<sup>81</sup>

#### **Execution of Bonaventura Sam, Kaga Bandoro, December 5, 2006**

Bonaventura Sam, 25, also known as “Dassa,” was an ex-combatant who had been demobilized through UNDP’s demobilization program. Sam had been given an agricultural start-up package and was devoting himself to his new life as a farmer. At 10 a.m. on December 5, a FACA patrol found Sam in his field, harvesting crops. He showed the FACA patrol his demobilization certificate but was executed on the spot by the soldiers.

Following the execution, his parents and other relatives went to see the prefect, informing him of the execution of a civilian and asking him for permission to retrieve and bury the body, which was granted. While the family was holding the funeral wake, a FACA military vehicle arrived and the soldiers started firing in the air, dispersing the mourners and arresting six relatives who were taken to the FACA base in Kaga Bandoro and beaten throughout the night. They were eventually released at 4 a.m. by a FACA soldier who appeared to take pity on them.<sup>82</sup>

#### **Execution of Jean Yellé and Mohammed Younis, Gbaïzera, December 9, 2006**

According to local officials, Lieutenant Eugène Ngaïkoissé and his GP unit from Bossangoa arrived in Kabo on December 8, 2006, and operated in the Batangafo-Kabo-Kaga Bandoro area until approximately December 18.<sup>83</sup> The soldiers detained 25-year-old Jean Yellé, the son of the village chief of Zoumanga, on their way to Kabo, holding him that night at the military base in Kabo.

The next day, December 9, the unit traveled from Kabo to Batangafo, taking Jean Yellé with them. Upon arrival at Gbaïzera, they found 30-year-old Mohammed Younis,

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<sup>81</sup> Commission Diocésaine Justice et Paix, “Atrocities Committed by FACA in the Kaga Bandoro region, October-10 December 2006” (Exactions commises par les FACA dans la région de Kaga Bandoro, Octobre-10 Décembre 2006,) undated.

<sup>82</sup> Ibid

<sup>83</sup> Confidential information on file with Human Rights Watch.

a father of one child, standing by the side of the road and immediately shot him dead. A witness in Gbaïzera described what happened next:

Then they stopped and executed the prisoner [Jean Yellé] that they had with them, and then they left again. It was a Saturday, December 9.<sup>84</sup>

The villagers showed Human Rights Watch the graves of the two executed men.

### **Execution of Dumnara, Kabo, December 2006**

On December 12, 2006, local Red Cross officials in Kabo were told about the smell of a decomposing body located near the FACA base in Kabo. On investigating, they found the partially burned, decomposing body of a young man, who was still tied *arbatachar*-style and showed signs of torture to his genitals. He was identified as Dumnara, the younger brother of the village chief of Petite Sido, a village located some 30 kilometers north of Kabo. He had last been seen alive when he was arrested by soldiers in Petite Sido a few days previously.<sup>85</sup> Although the GP unit of Lieutenant Eugène Ngaïkoissé was present in Kabo when the body was discovered, it is unclear whether the unit played a role in the killing.

### **Execution of Ngario Nangassoum, Béhili II, December 16, 2006**

On December 16, 2006, while still based at Kabo, the GP unit of Lieutenant Eugène Ngaïkoissé detained 26-year-old Ngario Nangassoum, a farmer, in the village of Béhili II, located southwest of Kabo on the Kabo-Batangafu road. The soldiers accused Nangassoum of being a rebel, executed him in Béhili II village, and then tied his body spread-eagle to the hood of their car and drove back to Kabo, where they paraded through the town's market to show off the "rebel" they had killed. The partially burned body of Nangassoum was later dumped behind the military base in Kabo, where it was recovered by the local Red Cross and buried.<sup>86</sup>

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<sup>84</sup> Human Rights Watch interview (name withheld), Gbaïzera, February 20, 2007.

<sup>85</sup> Human Rights Watch interview (name withheld), Kabo, February 21, 2007.

<sup>86</sup> Human Rights Watch interview (name withheld), Kabo, February 21, 2007; Confidential information on file with Human Rights Watch. Another source dated the incident on December 17.

### **Execution of Salvador Dami and Rodrigue Wandé, Kaga Bandoro, January 5, 2007**

On January 5, 2007, 27-year-old Salvador Dami, a farmer, was talking to his sister in his field when a FACA vehicle drove up. Soldiers forced Dami into the vehicle, ignoring his sister's protests. The FACA soldiers forced him to cover his face with his T-shirt and took him to the Gendarmerie in Kaga Bandoro. A second young man, Rodrigue Wandé, aged 22, was similarly arrested.

At about 10 a.m., the two men were taken by FACA soldiers to the bus station in front of the central market and publicly executed. The execution was witnessed by a large number of civilians, as well as French Lieutenant-Colonel Alain Verdier, the head of FOMUC's administration and finance cell, who happened to be in the area with two pilots. After killing the two, the FACA soldiers posed with the bodies—one such photograph is in the possession of Human Rights Watch. The bodies remained at the bus station for the entire day, as the FACA soldiers refused to allow any relatives to approach them.

According to a local religious leader, Lieutenant-Colonel Verdier was incensed by what he had witnessed and later that day confronted the FACA zonal commander, Captain Grémoboutou, at the airport. According to the religious leader, who accompanied Lt.-Col. Verdier, and other independent sources, the two men had a tense 20-minute conversation. The next day, the religious leader led a delegation of concerned religious officials to meet with Captain Grémoboutou, who appeared unapologetic about the incident. According to notes of the meeting shared with Human Rights Watch, Captain Grémoboutou told the delegation that he had “strict instructions” from the FACA chief of staff to “deal with such problems in the field,” which the religious leaders understood to imply that he had the authority to order the execution of rebel suspects. When asked if he could return the possessions of the two persons to their families (which included about 84,000CFA (\$168) and a bicycle), the Captain refused, saying that the personal effects were “war booty.”<sup>87</sup>

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<sup>87</sup> Commission Justice et Paix, “The events of Friday, January 5, 2007 in Kaga Bangoro” (Événements du Vendredi 05 Janvier 2007 a Kaga Bandoro,) undated; Confidential information on file with Human Rights Watch; OCHA, “Inter-Agency Mission to Birao (CAR), 12 to 23 January, 2007” (on file with Human Rights Watch).

### **Killing of Dieudonné Bouté, and Execution of Amadou Garba and an Unidentified Nigerian Merchant, Paoua, January 16, 2007**

On the morning of January 15, 2007, a group of about 100 APRD rebels launched a major attack on the town of Paoua, exchanging fire with FACA soldiers for several hours before they withdrew, out of ammunition.<sup>88</sup> During the attack, APRD rebels managed to briefly take control of the Paoua gendarmerie building and the police commissariat, looting weapons and goods.<sup>89</sup>

As FACA soldiers pursued the fleeing APRD rebels, they shot dead 22-year-old Dieudonné Bouté, a farmer. According to Bouté's mother, who was with him at the time of the shooting:

The FACA came to our neighborhood about one hour after the rebels had left, at about 10 a.m. When the FACA came, we heard loud explosions and so the whole neighborhood started fleeing. ... They just came into the neighborhood and started shooting. Every time they saw a young man, they would just shoot at him.<sup>90</sup>

At about 8 a.m. the next day, three military vehicles with GP troops from Bossangoa, led by their new commander, Lieutenant Abdoulayé Alias, came to the house of a local tailor in Paoua, Amadou Garba, aged 55. According to his sister who lived next door, the GP troops, wearing their distinctive uniforms with green berets, came to the home and ordered Amadou Garba to come with them. Garba pleaded with the soldiers, saying he was suffering from stomach troubles and couldn't leave the house, but the soldiers began beating him in the street and forced him into a vehicle.<sup>91</sup>

A second detainee who survived the incident later told the family that they were driven to Bényokara, located seven kilometers out of town. At Bényokara, Amadou

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<sup>88</sup> Human Rights Watch interview with Wafio Bertin, APRD commander, February 15, 2007.

<sup>89</sup> Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report of the events of January 15, 2007 in Paoua" (Rapport des Evénements survenus a Paoua le 15/01/2007) January 16, 2007.

<sup>90</sup> Human Rights Watch interview with Elizabeth Denadji, Paoua, February 14, 2007.

<sup>91</sup> Human Rights Watch interview (name withheld), Paoua, February 14, 2007.

Garba was ordered to get out of the vehicle and was immediately shot dead with four bullets. The troops then released the second detainee and drove off leaving behind the body.<sup>92</sup>

Also on January 16, government soldiers executed a 35-year-old Nigerian merchant with a gunshot to the back of the head at the abandoned village of Nzangara, a few kilometers from Paoua, on the Bozoum road. The merchant, whose name is unknown, spoke neither French nor Sango and expressed himself only in Pidgin English. Because he was unable to speak the local languages, FACA soldiers in Paoua had arrested him on suspicion of being a rebel supporter a few days before the APRD's January 15 attack on Paoua.<sup>93</sup>

#### **Execution of Roger Masamra, Batangafo, January 27, 2007**

On January 27, 2007, FACA soldiers detained and then executed Roger Masamra, the son of the village catechist (a trainee Catholic priest) in Zoumanga, located on the Kabo-Ouandago road. The FACA soldiers accused Masamra of being a rebel because he was wearing a traditional *gri-gri* amulet on his body, and took him to their temporary base before shooting him in front of the local Gendarmerie building in Batangafo.<sup>94</sup>

#### **Execution of unidentified Chadian merchant, Kabo, January 30, 2007**

On the morning of January 30, 2007, FACA forces detained an unidentified Chadian Christian merchant at the Kabo market, on the suspicion that he was a rebel. Apparently, their suspicion was based on the fact that the visiting merchant did not speak French or Sango, had some protective *gri-gri* amulets on his body, and had scars on his hands that the FACA soldiers claimed were old bullet wounds. An

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<sup>92</sup> Human Rights Watch interview (name withheld), Paoua, February 14, 2007.

<sup>93</sup> Human Rights Watch interview (name withheld), Paoua, February 14, 2007; Comité Sous-préfectoral de la Croix-Rouge de Paoua, "Report of the events of January 15, 2007 in Paoua" (Rapport des Evénements survenus a Paoua le 15/01/2007) January 16, 2007.

<sup>94</sup> Human Rights Watch interview (name withheld), Batangafo, February 19, 2007; Human Rights Watch interview [name withheld], Kabo, February 21, 2007.

international humanitarian official, on a routine visit to the FACA office, saw the hog-tied prisoner on the ground outside the office and briefly enquired about his status.<sup>95</sup>

Shortly afterwards, the bound prisoner was taken by four FACA soldiers in front of the police commissioner's office, which is located next to Kabo's school buildings, and executed as many of the school children and other civilians watched. According to a local humanitarian official who assisted in the burial, the eyes of the victim had been gouged out. The victim was never identified.<sup>96</sup>

### *Village Burnings*

The widespread burning of homes by government security forces is almost the signature abuse of the conflict. The first burning documented by Human Rights Watch took place following the December 28, 2005 attack by APRD rebels on the village of Bodjomo, located outside Markounda, in Ouham province. Following the unsuccessful rebel attack, FACA forces based at Markounda, working with GP soldiers from Bossangoa led by Lieutenant Eugène Ngaïkossé, burnt down an estimated 500 to 900 homes in about a dozen villages in the vicinity. In almost all of the affected villages, all of the homes were burned down, including over 280 homes in the large village of Kadjoma Kota.<sup>97</sup>

An overall assessment of villages burned in the entire northwest has not yet been conducted, but Human Rights Watch did conduct an in-depth assessment of the amount of village burning in one main area of rebel activity, the Batangafo-Kabo-Ouandago-Kaga Bandoro area. Going from village to village along all the main roads in the area, Human Rights Watch researchers counted a total of 2,923 homes burned by government security forces (and an additional 96 burned by *zaraguinas* or nomadic groups), destruction which affected at least 32 villages and towns along hundreds of kilometers of roads.

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<sup>95</sup> Human Rights Watch interview (name withheld), Batangafo, February 19, 2007.

<sup>96</sup> Human Rights Watch interview (name withheld), Kabo, February 21, 2007; Human Rights Watch interview with subprefect Jean-Marie Ngouakouzou, Kabo, February 20, 2007.

<sup>97</sup> UN OCHA, "Consolidated Appeal Process (CAP) for the Central African Republic, 2006" (Procédure d'Appel Global (CAP)—Examen Semestriel de l'Appel Humanitaire 2006 pour la République Centrafricaine,) July 18, 2006; Confidential sources on file with Human Rights Watch. The burned down villages were: Bobéré, Kakambia, Kadjoma Kota, Mandunga, Maiban, Galé II, Galé I, and Koukou.

Along the Batangafo to Ouandago road, no civilian homes have been burned. The reason is that APRD rebels have destroyed at least three bridges on this road, and government security forces have not been active in the area. The fact that the lack of village burnings in this area coincides with a lack of government security force presence (and an active APRD presence) clearly demonstrates that government security forces, and not APRD rebels, are responsible for the village burnings (in a few cases, disputes between nomads and local villagers have been responsible for home burnings as well).

The village burnings documented by Human Rights Watch and other groups amount to a deliberate or *de facto* policy of forced displacement of the civilian population of northwestern CAR, and simply cannot be characterized as the actions of rogue soldiers or commanders. The FACA and GP have consistently burned civilian villages since the onset of the conflict in mid-2005, and this practice continues virtually unabated to date. Villages located hundreds of kilometers apart have been affected; an estimated 10,000 homes have been burned by the FACA and GP so far. Because of the random and extreme violence that has accompanied the village burnings, villagers remain displaced in the bush even more than a year after their homes were burned, still too afraid to return and rebuild. In the face of overwhelming evidence of abuses, the CAR authorities have completely failed to act to stop the village burnings, or to bring those responsible to account. The silence and lack of action of the authorities can only be characterized as acquiescence in the abuses.

### **Batangafo to Kabo Road**

Along the Batangafo to Kabo road, burnt villages start at the village of Gbaïzera, located some 28 kilometers outside Batangafo, which has featured many previous times in this report. Human Rights Watch counted a total of 662 homes burned in 12 villages in the area. Starting in June 2006 FACA and GP forces burned homes in the area whenever they moved through, burning a total of 96 homes in Gbaïzera to date.<sup>98</sup> From Gbaïzera to Kabo, Human Rights Watch researchers found all villages along the road deserted. Many were destroyed between June 2006 and the present, with a sharp peak in burnings during November 2006. All 29 homes were burned in

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<sup>98</sup> Human Rights Watch interview (name withheld), Gbaïzera, February 20, 2007.



Dimba I; 47 homes out of 102 in Kakobo were burned by FACA troops in November 2006; 1 out of 58 homes in Rubéringa; 67 homes out of 144 burned in Kava I on November 15, by FACA; 161 homes out of 323 in Ngonikira; 14 out of 44 in Mudiélé; 2 homes out of 7 destroyed in Samba; 1 out of 96 in Vafio II; 66 out of 71 in Béhili II; 94 homes out of 104 in Kemngvoyéyé; and all 84 homes destroyed in Ndabala.<sup>99</sup>

### **Kabo to Ouandago road**

Along the Kabo to Ouandago road, Human Rights Watch found a more complex situation, with a number of villages closest to Kabo having been attacked by Chadian or Sudanese nomads, described as “Fulata” by the local population, in disputes over grazing rights and access to water sources, which have also involved killings.<sup>100</sup>

Human Rights Watch counted 96 homes burned in four separate villages in the area. Nomads burned three homes in Konga Litos in early February 2007, just days before the Human Rights Watch visit, and three more homes in Beltonou II in January 2007. The “Fulata” nomads also had a major confrontation with the village of Beltonou I in July or August 2006, which resulted in the killing of the village chief, 25-year-old Alfonse Totamani, and the burning of 90 homes in the village.<sup>101</sup>

However, the villages farther down the road towards Ouandago were burned by government security forces in the pattern familiar to other areas. Between Kabo and Ouandago, Human Rights Watch counted 270 homes and shops burned in four separate villages.

On December 8, 2006, GP units led by Lieutenant Eugène Ngaïkossé stopped at the village of Farazala while on their way to Kabo, burned three homes, and detained the village mayor, Damasco Mallo, and a woman, Denise Mokossa, demanding that they show where the APRD was based. The two detainees were taken to Kouougou where they were further interrogated and witnessed how the GPs units burned down the

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<sup>99</sup> Human Rights Watch counts, February 20, 2007.

<sup>100</sup> For example, on July 10, 2006, a group of six armed Fulata came to the village of Bouaki I at 5 a.m. and demanded to see Bernard Ndikisi, the 80-year-old village chief, who they then shot dead. Two other villagers were killed while fleeing from the gunmen: Jérémi Ndounama, 18, and Didier Zoranga, 22. The Fulata did not burn any homes on that occasion (Human Rights Watch interview (name withheld), Bouaki I, February 21, 2007).

<sup>101</sup> Human Rights Watch interviews and counts, February 21, 2007.

village, destroying at least 220 homes and shops, and burning the entire market area. The two detainees were then released.<sup>102</sup>

The village of Dissi had 33 burned homes, destroyed by FACA in October 2006.<sup>103</sup> Mid-morning on January 29, 2007, GP troops from Bossangoa burned 14 homes in Bilalo, where two villagers had previously been indiscriminately killed by FACA soldiers in September.<sup>104</sup>

### **Ouandago to Kaga Bandoro road**

The most extensive home burnings documented by Human Rights Watch took place on the Ouandago to Kaga Bandoro road, where the destroyed homes number in the thousands. Human Rights Watch counted a total of 1,991 homes burned in 16 villages and towns in this area. Most affected is the major market center of Ouandago itself.

The road between Ouandago and Kaga Bandoro is marked by massive burning of civilian homes, increasing in frequency as one approaches Kaga Bandoro. Kia I had two homes burned by FACA on October 5, 2006. In November 2006 FACA soldiers burned 14 homes in Boskoubé and an additional 75 in the adjoining Boskoubé Moderne. One hundred and fifty one homes were burned by FACA in the major town of Nana Outa on August 19, 2006. Thirteen homes were burned in Futa, and 84 homes in Ngoumourou (neighborhoods I, II, and III) by GP units between October and December 2006. A village leader of Ngoumourou 1 recalled the FACA and GP attacks, which began almost immediately after the Ouandago attacks described above, to Human Rights Watch:

The attacks started on October 12, 2006. They came suddenly, firing their rifles, in four vehicles, from the Ouandago direction. It was about 10 a.m., and we were all afraid and fled into the bush. They started burning the houses then. They returned on October 21 to burn more

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<sup>102</sup> Human Rights Watch interview (name withheld) Farazala, February 21, 2007.

<sup>103</sup> Human Rights Watch interview (name withheld) Dissi, February 21, 2007.

<sup>104</sup> Human Rights Watch interview (name withheld), Bilalo, February 21, 2007.

houses. We fled our houses, leaving everything behind. They took all of our goats and animals—that time, they took more than 100 goats with them.

We spent four months living in the bush. There were many cases of malaria and bush fires that burned the children. Five men, six women, and eight children died in the bush.

One person has been killed in the attacks on our village. Isa Manu, aged about 30, he was trying to flee when the army came at about 6 p.m., in August, before the burning of the houses. He was shot while he was trying to flee.<sup>105</sup>

The number of burnt villages increases closer to Kaga Bandoro. In one 20 kilometer stretch, almost every home has been destroyed. Patcho has 40 homes burned by GP and FACA forces in December 2006; all of Yamuvé's 54 homes have been burned in January 2007; all 176 homes in Yamissi and Ngoulekpa have been burned, leaving only the village church standing; all 52 homes have been burned in Inguissa; all 106 homes in Pougaza and Béré have been burned, leaving only the village church; and all 44 homes in Kpokpo have been burned.

Other villages in the area have also been burned: 10 homes were burned by GP troops and FACA in mid-December in Gazao, on the road from Kaga Bandoro to Ndélé, and nearly 300 homes were burned in the villages of Mbiti, Bamala, Ousmane, and Bayiri on the Kaga Bandoro-Bangui road.<sup>106</sup>

### **Around Paoua**

A similar level of burning of civilian homes can be found almost all around the town of Paoua, where GP and FACA units have burned almost all villages on several main roads, including the Paoua-Bozoum road, the Paoua-Bétoko-Bémal road, and the Paoua-Borguila-Nana Barya road. As in other areas, the level of destruction is

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<sup>105</sup> Human Rights Watch interview [name withheld], February 22, 2007.

<sup>106</sup> Confidential humanitarian report on file with Human Rights Watch.

massive, involving the burning of thousands of homes, with hundreds of homes burned in some of the individual villages visited by Human Rights Watch. As in other areas, the burning around Paoua dates back to late 2005, and continues to date: numerous villages were burned by GP troops around Paoua following the January 15, 2007 attack.

Village burnings continue to occur in the Paoua area. According to Refugees International, on March 11, 2007, FACA troops traveling from Paoua to Bangui clashed with APRD rebels in Lia, some 30 kilometers south of Paoua. Two civilians were killed in the crossfire. Following the exchange, FACA soldiers got down from their vehicles and set fire to two houses, and then continued to set fire to other homes in four other villages, where they also shot indiscriminately into the civilian population. A baby was killed by a stray FACA bullet in Léourou, and an additional 10 homes were set on fire in Voh. Altogether, at least 20 homes were burned by the FACA soldiers.<sup>107</sup>

### **The impact**

No comprehensive statistics exist on the total number of civilian homes burned by FACA and GP troops during the current conflict, but the numbers are definitely in the many thousands, probably amounting to at least 10,000 homes, and have taken place in hundreds of villages across the region.<sup>108</sup> But the effect of the widespread campaign of village burnings, unlawful killings and summary executions, and the indiscriminate gunfire that FACA and GP soldiers direct almost routinely at villages in passing goes far beyond the destroyed homes. Almost the entire population of the affected areas has fled their homes in terror and fear, and hundreds of villages lie completely abandoned in the north. Where villagers have returned, they flee at the sound of approaching vehicles.

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<sup>107</sup> Refugees International, "Central African Republic: Army House Burnings Continue in Tense Northwest," March 15, 2007.

<sup>108</sup> Human Rights Watch counted a total of 2,923 homes burned in the Batangafo-Kabo-Oaundago-Kaga Bandoro area alone, but there are much larger areas of burned villages that have not been assessed to date, including some areas immediately outside the area assessed by Human Rights Watch (some homes north of Kabo have also been burned, but security restrictions prevented Human Rights Watch from visiting this area). The area affected around Paoua, including the Paoua-Bozoum road, the Paoua-Bétoko-Bémal road, and the Paoua-Borguila-Nana Barya road, is significantly larger than the area counted by Human Rights Watch, and has an equal or greater level of destruction. Thus, a figure of 10,000 homes burned offers a conservative assessment of the overall number of homes burned throughout the region.

The displacement of some 102,000 civilians in the districts of Ouham, Ouham-Pendé, and Nana-Grébizi into the bush since December 2005 is a direct result of the campaign of reprisals, terror, and abuse unleashed by CAR security forces and has dire consequences for their humanitarian situation. In their makeshift, widely dispersed shelters in the bush, many displaced persons are beyond the reach of the humanitarian community. The displaced have limited or no access to safe, clean water, and often are desperately short of food supplies. Educational facilities in most villages are closed, because their students are hiding in the bush, so many children have now been out of school for more than a year. Aside from mobile clinics run by a few international humanitarian organizations such as Doctors without Borders (*Médecins Sans Frontières*, MSF), medical services for much of the population are non-existent.

FACA military and civilian officials freely acknowledged the level of abuses committed by the security forces during meetings with Human Rights Watch. The governor of Ouham province, himself a Brigadier General in FACA, offered a long, unsolicited tirade about the behavior of government troops in his province:

I am against these home burnings, I don't understand why they do it, and this is not part of the orders of the soldiers. The commanders of these units give these orders, but this is not part of the official orders. We need to stop impunity, the problem is that these renegade commanders are not prosecuted...The Presidential Guards are the most feared, look at what they did in Bémal. They think they are untouchable. I have had to interfere to try to stop the Presidential Guards from burning villages, but we don't have the right to interfere with the Presidential Guards...When the Presidential Guards come here, they don't even come to present themselves to me. They have held operations five kilometers from our town without informing the authorities. The Presidential Guard also loots the villages; they even steal from cars on the road.<sup>109</sup>

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<sup>109</sup> Human Rights Watch interview with Brigadier General Raymond Ndougou, Bozoum, February 12, 2007.

The FACA commander of Ouham and Ouham-Pendé (the 1<sup>st</sup> military region), Lieutenant-Colonel André Kada, was equally straightforward in his assessment: “The Presidential Guards are the ones who committed the abuses in the north, they burned the houses...They have no basic education...They are permitted to do anything, they only know how to fire their guns...The Presidential Guard didn’t receive direct orders to burn the villages, they committed these crimes on their own initiative. Everyone tells me there is impunity, but the President takes these decisions.”<sup>110</sup>

A local area FACA area commander also eloquently summed up the problem with impunity in CAR:

We have a directive which we were given from the Chief of the Army to respect human rights and the laws of war [pulls a paper from his briefcase and starts reading selected parts]. Prisoners should be taken to superior officers; interrogations should be conducted with respect for human rights; respect the population, it is prohibited to loot or burn villages; sensitize the population.

So the burned villages are not on orders; they are the bad carrying out of orders. The Presidential Guards are part of the army, but they are permitted to do anything. They can do whatever they want, but we can’t. ...

All of those around the President ignore the laws—this is the traditional African way. If I am called by the law, I will respond, because I respect the law. But this is the problem—not everyone is under the law.<sup>111</sup>

President Bozizé told John Holmes, the UN Emergency Relief Coordinator (the UN’s top humanitarian envoy) on April 1, 2007 that “military abuses would be investigated

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<sup>110</sup> Human Rights Watch interview with Lt. Col. André Kada, Bossangoa, February 16, 2007.

<sup>111</sup> Human Rights Watch interview [name, date, and place withheld].

and dealt with promptly and correctly,” but to date no-one responsible for village burnings or summary executions and other unlawful killings has been “dealt with.” Formally, CAR officials continue to blame rebels for most of the abuses, such as the claim by the governor of Gribingui, Colonel Jean-Christophe Bureau, in December 2006, that “all the villages were burned by the rebels.”<sup>112</sup>

## **Abuses by APRD rebels**

Human Rights Watch’s research into APRD rebel conduct did not find evidence to suggest that APRD rebels are responsible for widespread killings, village burnings or other similarly serious crimes since the beginning of the rebellion in mid-2005. Neither did Human Rights Watch interviews with CAR government representatives, military officers, local and international humanitarian officials, and human rights officials reveal allegations of such abuses committed by the group. Most of the APRD attacks documented in the press or by local and international human rights and humanitarian organizations have focused on military targets such as police stations, military bases, and military patrols, rather than on the civilian population. However, the APRD has recruited and used children in its fighting forces, and its soldiers have been responsible for widespread kidnapping, beatings, extortion, and theft of livestock.

### *Killings*

Human Rights Watch researchers have identified two cases in which APRD troops were responsible for the unlawful killing of a civilian. The first took place in Gbaïzera in June 2006, after the APRD reoccupied the village. Mohammed Haroon, aged 50, who was the son of the village chief, was detained and then killed for informing the FACA commander in Batangafo of the initial occupation of the village by rebels in April. The FACA forces reacted to the APRD occupation by attacking the rebels in May and June, burning down nearly 100 homes, and in late May unlawfully executing three civilians. When the APRD returned to the village later in June, they detained Mohammed Haroon and publicly beat him to death with wooden sticks in front of the

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<sup>112</sup> “CAR: Blame game as villages burn,” *IRIN*, December 19, 2006.

village church. After the killing, the rebels told the villagers to let the body rot in the sun and threatened to kill anyone who attempted to bury him.<sup>113</sup>

This is a serious crime. However, it is the only killing of its kind that Human Rights Watch identified as having been carried out by APRD troops since the beginning of the conflict in mid-2005. While Human Rights Watch cannot rule out that there have been other similar incidents, no other cases were reported during interviews with government officials, military officials, local and international human rights, and humanitarian organizations.

APRD rebels are also responsible for the death on June 11, 2007, of Elsa Serfass, aged 27, a nurse with *Médecins sans Frontières* (MSF). APRD rebels fired upon an MSF vehicle, killing the humanitarian aid worker. While the APRD immediately characterized the shooting as a “mistake”<sup>114</sup> and apologized for the incident, those responsible within the APRD for firing on a clearly marked humanitarian vehicle, resulting in the unlawful death of a civilian, should be held accountable.

### *Use of Child Soldiers by APRD*

One practice, readily admitted by APRD rebel leaders to Human Rights Watch, is the use of child soldiers, a serious violation of international law. APRD rebel commanders said that there are many children in their ranks, including some as young as 12, and that many are armed and participate in combat.<sup>115</sup> Almost every APRD unit encountered by Human Rights Watch had some child combatants in its ranks. A leading APRD commander told Human Rights Watch that many of the children had come to the APRD for security from attacks by government forces: “Our recruitment is voluntary, and we have some child soldiers with us. Since the

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<sup>113</sup> Human Rights Watch interview with village chief (name withheld), Gbaïzera, February 20, 2007.

<sup>114</sup> “Further clarification on the death of our colleague, Elsa Serfass, in Central African Republic,” MSF Press Release, June 13, 2007, <http://www.doctorswithoutborders.org/pr/2007/06-13-2007.cfm> (accessed on July 11, 2007); “An MSF aid worker has been killed in the Central African Republic,” MSF Press Release, June 11, 2007, <http://www.msf.org.hk/public/contents/news?ha=&wc=o&hb=&hc=&revision%5fid=15894&item%5fid=15777> (accessed July 11, 2007).

<sup>115</sup> Human Rights Watch interview with Wafio Bertin, Boja, February 15, 2007; Human Rights Watch interview with APRD soldier (name withheld), Boja, February 15, 2007.



Presidential Guard moved here [around Paoua], the children were insecure. So they came to stay with us because they wanted security, it is for their own safety.”<sup>116</sup>

Even if the APRD commander is correct, the APRD’s use of children as combatants remains a serious violation of international humanitarian law and may amount to a war crime<sup>117</sup>. Human Rights Watch explained this to APRD commanders, who appeared unaware that their conduct violated the laws of war. When informed of the relevant international standards, and the current ICC prosecution of a Congolese warlord for the use of child soldiers,<sup>118</sup> a top APRD commander immediately offered to demobilize the child soldiers, as long as their security could be guaranteed, and asked Human Rights Watch to contact UNICEF for assistance with the demobilization.<sup>119</sup>

### *Kidnapping, Beatings, and Extortion*

On the Fourth of July [2006], the rebels came here for the first time. Since then, they come all the time, whenever their food is finished. They have taken all of our goats, over 100 goats from the village. They have kidnapped me twice, and then my people have to pay money to get me released, 10,000 CFA [\$20] each time.

Village chief, Ngaipellé village<sup>120</sup>

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<sup>116</sup> Human Rights Watch interview with Wafio Bertin, Boja, February 15, 2007.

<sup>117</sup> For example, under Articles 8(2)(b)(xxvi) and Article 8(2)(e)(vii) of the Rome Statute of the International Criminal Court it is a war crime to conscript or enlist children under 15 years into armed forces or groups, or use them to participate in hostilities. Article 77 of Additional Protocol I and Article 4(c) of Additional Protocol II to the Geneva Conventions, outlaw the recruitment and participation of children under 15 years. Article 38 of the UN Convention on Rights of the Child provides that: States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities (Paragraph 2). States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. (Paragraph 3). The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (adopted by the UN General Assembly on 25 May 2000 and entered into force on 12 February 2002) sets 18 as the minimum age for direct participation in hostilities and for recruitment into armed groups.

<sup>118</sup> Thomas Lubanga Dyilo, the former leader of the *Union des patriotes Congolais* (UPC), an armed group responsible for war crimes and crimes against humanity in the Ituri region of the Democratic Republic of Congo (DRC), was the first-ever person brought to trial before the ICC, charged with enlisting and conscripting children as soldiers and using them to participate actively in the conflict in Ituri.

<sup>119</sup> Human Rights Watch interview with Wafio Bertin, Boja, February 15, 2007.

<sup>120</sup> Human Rights Watch interview with village chief (name and place withheld), February 19, 2007.

There is also plentiful evidence that the APRD has committed other serious abuses against the civilian population, including widespread kidnapping for ransom, beatings, extortion, and looting. The reported level of such abuses varies greatly among different regions where the APRD is present. Around Paoua, APRD rebels apparently mostly limit themselves to demanding “road tax” from vehicles and passengers passing through their area of control. However, in some areas in the Batangafo-Kabo-Ouandago triangle, the APRD have taken almost all the goats and chickens from villagers and have repeatedly kidnapped and beaten village leaders to extort money.

The worst cases of kidnappings, beatings and extortion by APRD rebels have occurred on the Ouandago-Batangafo road. Here the APRD rebels have destroyed several bridges and thus cannot get money from a “road tax” since there is no significant commercial traffic. Human Rights Watch found many villages completely deserted, without any visible livestock. The civilian population Human Rights Watch did manage to locate often suffered from malnutrition—the only area visited by Human Rights Watch where severe malnutrition was visible. A village leader in Botéri I village explained:

We have a lot of problems here with the rebels, but not with the army, ever since the rebellion started. On August 15 [2006], they came and took all of our goats and money. They even beat our village chief, because he tried to stop them. They came with nine rebels from Ouandago. We never went to complain to their commanders, who is there to complain to? Monday a week ago, the rebels [came to our village] and beat us, they were demanding money. They took 6,000 CFA [\$12] from us, and a chicken and a goat. They have come to our village six times, each time they take things, even our manioc. All of our goats have been taken by them.<sup>121</sup>

A religious official in Sébongono village, along the same road, gave a similar account of rebel abuses:

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<sup>121</sup> Human Rights Watch interview (name withheld), Botéri I village, February 19, 2007.

FACA has not come here since the start of the war, but we do have problems with the rebels. They take our goats and money, and they catch our men and then make us pay ransom—they ask for 15,000 or 10,000 CFA [\$30-\$20]. They also beat us if we refuse to give them our goods.... They come sometimes two or three times per week, very often, starting in June 2006. They come in groups of nine or 10, different groups of rebels, there are many groups of rebels around here.<sup>122</sup>

Also in Sébongono village, a school official recounted to Human Rights Watch how he had been held by APRD rebels demanding money, on August 8, 2006, for several hours. Initially his captors demanded 40,000 CFA [\$80] for his release, but ultimately settled for 12,000 CFA [\$24]. Because he was also a government-appointed village official (*conseiller*), he was beaten so badly that he had to be hospitalized.<sup>123</sup> Similar accounts were collected by Human Rights Watch at villages all over the Batangafo-Kabo-Ouandago triangle.

### **Abuses by Chadian Forces**

Abuses suffered by the civilian population in northwestern CAR are not limited to those committed by the APRD rebels, CAR forces, and *zaraguinas*—Chadian troops also regularly conduct cross-border raids, looting villages, and committing rape.

Chad's role in CAR is complex. Chadian elements can be found on all sides of the various conflicts: Bozizé's personal security detail is Chadian, and so are many of his GP troops that helped bring him to power (the *ex-libérateurs*). Many Chadian *ex-libérateurs* are found in the ranks of the UFDR fighting in the northeast; Chadian bandits are involved in the *zaraguinas* criminal groups attacking civilians in the north; Chadian troops form part of the FOMUC regional peacekeeping mission; Chadian anti-Déby rebel groups have based themselves in CAR; and Chadian army troops have carried out independent raids against CAR rebel groups on CAR territory,

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<sup>122</sup> Human Rights Watch interview (name withheld), Sébongono village, February 19, 2007.

<sup>123</sup> Human Rights Watch interview (name withheld), Sébongono village, February 19, 2007.

and have also engaged in abusive looting raids inside CAR, some involving the rape of civilians.

On July 10, 2006, Chadian army soldiers in army trucks raided the village of Bétoko, located 20 kilometers south of the Chadian border town of Goré, firing randomly at the population and looting the village after the population had fled. During this raid, the Chadian troops raped five women at Bétoko.<sup>124</sup> In December 2006, Chadian troops in three army trucks attacked Bémal, located next to Bétoko, firing randomly at the population and taking 32 cows from the village, as well as farming implements and sacks of peanuts.<sup>125</sup> Local villagers told Human Rights Watch that such Chadian army raids are common, taking place every few months.

Chadian army troops have carried out regular, direct raids on APRD bases, including attacks by a 10-vehicle Chadian army column on APRD positions around Boguila on November 5 and November 18, and a major attack in August 2006 that destroyed the APRD's main Vami base, located outside Ouandago, which was then home to some 600 APRD rebels. CAR government officials gave Human Rights Watch conflicting information about whether such Chadian army operations were coordinated with the CAR authorities.

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<sup>124</sup> Human Rights Watch interview with Eric Djiji, Bétoko, February 14, 2007; Human Rights Watch interview with Interview with Florent Dolomboto, in Bétoko, February 13 2007; "CAR: Living with rape, harassment in the northwest," *IRIN*, February 22, 2007.

<sup>125</sup> Human Rights Watch interview with Benoit Bédomnolé, Bémal, February 14, 2007.

## Rebellion in the Northeast

In mid-2006 the authorities found themselves facing a second organized rebellion in the remote and sparsely populated northeast, bordering Darfur and eastern Chad.

The Union of Democratic Forces for Unity (*Union des forces démocratiques pour le rassemblement, UFDR*) is an alliance of three separate rebel groups: the Movement of Central African Liberators for Justice (*Mouvement des libérateurs Centrafricains pour la justice, MLCJ*), headed by Abakar Saboune, who is the spokesperson and head of security; the Patriotic Action Group for the Liberation of Central Africa (*Groupe d'action patriotique pour la libération de la Centrafrique, GAPLC*), headed by Michel Détéodia, now President of the UFDR; and the Central African Democratic Front (*Front démocratique Centrafricain, FDC*), headed by Justin Hasan, a former major in the Presidential Guard of Patassé, who is the head of UFDR's military operations.<sup>126</sup> The UFDR's chief of staff is "General" Damane Zakaria, whose real name is Moustapha Maloum, also a former associate of ex-President Patassé.<sup>127</sup> Another key leader is Faki Ahmat ("Colonel Marabout"), reportedly in charge of the UFDR's military operations.<sup>128</sup> Saboune and Détéodia were arrested in Benin in late November 2006 and remain imprisoned there on a CAR-issued arrest warrant.<sup>129</sup> The UFDR has been mostly active in the Vakaga prefecture, in the area around the villages of Tirougoulou, Gordil, Mélé, and Boromota, an area mainly populated by the predominantly muslim Gula ethnic group.

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<sup>126</sup> Communiqué de presse de l'Union des forces démocratiques pour le rassemblement (UFDR)-RCA, "On the Importance of Dialogue in the Search for Peace in the Central African Republic" (De l'importance du dialogue pour la paix en République Centrafricaine.) January 31, 2007; "CAR: Rebels Call for Dialogue After Capturing Key Town," *IRIN*, November 2, 2006.

<sup>127</sup> *Ibid.*

<sup>128</sup> Small Arms Survey, "Sudan Issue Brief: A Widening War Around Sudan," January 2007. The Chadian-born Faki Ahmat was Abdoulayé Miskine's principal Lieutenant in the mercenary force recruited by Miskine to protect the régime of Patassé. However, after Miskine's forces committed a number of atrocities against Chadians in northern CAR, Faki Ahmet defected to the rebel movement of General Bozizé. Christophe Boisbouvier, "Invasive 'liberators'," (*Envahissants 'libérateurs'*) *JA*, April 28, 2004, [http://www.jeuneafrique.com/jeune\\_afrique/article\\_jeune\\_afrique.asp?art\\_cle=LIN25054envahsruetao](http://www.jeuneafrique.com/jeune_afrique/article_jeune_afrique.asp?art_cle=LIN25054envahsruetao) (accessed July 11, 2007).

<sup>129</sup> "Central African Rebel Leaders Arrested in Benin," Reuters, November 25, 2006.

The forces of the UFDR consist mainly of ethnic Gulas, who claim historic discrimination. They have made common cause with *ex-libérateurs* (members of Bozizé's rebel forces who enabled his takeover in March 2003 and who now claim he betrayed his promises to them). From September to October 2006, the UFDR launched a major offensive in northeastern CAR, taking control of the towns of Birao, Ouandja, Ouanda Djallé, Ouadda, and Ndélé, in the main population centers in Vakaga, Bamingui, and Haute-Kotto prefectures. The security forces fled in the face of the offensive, leaving behind large caches of arms, military vehicles, and other equipment. In the towns they captured, UFDR rebels destroyed and looted all government offices, including the police stations and the Gendarmerie, the offices of the mayor, prefect and subprefect, the offices of the forest and water agency, and many others, further deteriorating the capacity of already weakened state institutions.

In December 2006 the French army invoked its defense treaty with CAR and helped governmental forces to retake all these towns, through a French bombing campaign and a combined FACA/French Army/FOMUC ground offensive. By late December 2006 the government was again in control of all major towns in the northeast, and the UFDR had retreated to rear bases around Tiroungoulou, Gordil, and Boromata. In March 2007 the UFDR mounted a strike on Birao, briefly taking control of the town before being repulsed by French aerial bombardment.

On April 13, 2007, "General" Damané Zakaria, the UFDR's chief of staff, signed a peace agreement with government representatives, stating that "the time has come to make peace."<sup>130</sup> However, the signing of the peace accord was disavowed by the jailed leader Abakar Saboune, who promised to continue the fight.<sup>131</sup>

The conflict in the northeast has been characterized by serious abuses by both government and rebel forces, although there have been fewer village burnings and

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<sup>130</sup> "Central African Nation to Sign Peace Deal with Rebels," Associated Press, April 13, 2007. UFDR leaders have denied that an earlier deal (January 2007) between Abdoulayé Miskine, the head of *Front démocratique du peuple Centrafricain* (FDPC), and the CAR authorities had any relationship with the UFDR, although Miskine has frequently claimed to speak for the group (Communiqué de presse de l'Union des forces démocratiques pour le rassemblement (UFDR)-RCA, "On the Importance of Dialogue in the Search for Peace in the Central African Republic" (De L'Importance du dialogue pour la paix en République Centrafricaine,) January 31, 2007.)

<sup>131</sup> "Armed men thought to be from Darfur occupy town in Central Africa," *Sudan Tribune*, May 26, 2007.

summary killings than in the northwest. CAR government forces have carried out summary executions of suspected or captured rebels and a small number of house burnings and unlawful killings of civilians. Meanwhile, UFDR rebels have fired indiscriminately at the civilian population and have looted homes, offices, and businesses during attacks on towns and villages. The rebels have carried out summary executions and forcible recruitment of child soldiers, and there are (as yet) largely unconfirmed reports of rape.

## The Origins of conflict

Over a period of years, a number of issues have combined in northeast CAR to create the preconditions for rebellion and the emergence of the UFDR. These include poverty and marginalization, inter-communal tension with Sudanese nomads, human rights violations by CAR forces in response to military activity by Chadian rebels based in the northeast, and the grievances of *ex-libérateurs*.

### *Poverty, marginalization and inter-communal tension*

The northeast is CAR's most remote, sparsely populated, and poorest region. Its inhabitants claim that for years they have been neglected and forgotten by their own government. There are no paved or all-season roads, only the most basic of hospitals and medical centers, and often no doctors or medicine. Public schools are underfunded, run by parents acting as teachers (*maîtres parents*), and in many of the more remote areas do not function at all.

In 2002 tensions between local people and Sudanese nomads, bringing herds into CAR in search of water and grazing, escalated into open conflict. Gula community leaders claim that when sustained fighting broke out around Boromata (west of Birao), the government refused to intervene to provide protection, arguing the fighting was “merely” inter-Muslim skirmishing—although a more likely reason for the government's lack of action is that the embattled Patassé government was preoccupied with fighting for its own survival.<sup>132</sup> This government neglect led the local population to launch their own armed self-defense units.

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<sup>132</sup> Human Rights Watch interview (name withheld), Tiroungoulou, February 26, 2007.

The killing by Sudanese nomads of a prominent Gula spiritual leader, Yahya Ramadan on May 8, 2002, led to renewed clashes culminating in the deaths of 63 Sudanese nomads at Birao on May 17.<sup>133</sup> Yahya Ramadan's murder also led to increased inter-ethnic tensions in the region, with Gula community leaders accusing members of the Kara ethnic group of having instigated the killing.<sup>134</sup> A joint Sudanese-CAR initiative to investigate the clashes soon petered out.<sup>135</sup> However, Sudanese nomads continued to cross the border, now also in search of revenge. On July 10, 2002, Sudanese nomads killed half of the inhabitants of the village of Vodémasa, more than 50 people including women, children, and the village chief,<sup>136</sup> and went on to attack Zinzia, Boromata, Aifa, Sikébé, and Moussabio. Yet more deadly attacks by Sudanese nomads were reported in September 2002.<sup>137</sup> Many people died, but the CAR government of Patassé, battling its own insurgents, did not intervene.

In March 2003 Sudan agreed to provide reparations after meetings were held in the border town of Am Dafok. The mismatch in the delegations—the Sudanese had sent high level officials including three government ministers while the CAR was represented by local officials—was interpreted by local people as yet another sign of a lack of central government concern for their well-being (although, again, the government of Patassé was probably too focused on battling the soon-to-be-victorious rebels of General Bozizé to send a high-level delegation).<sup>138</sup>

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<sup>133</sup> United States Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices – 2002, Central African Republic," March 31, 2003, <http://www.state.gov/g/drl/rls/hrrpt/2002/18174.htm> (accessed July 11, 2007).

<sup>134</sup> UNHCR et al., "The People are Traumatized:" Report on a joint UN/NGO mission to Birao and Am Dafok, Central African Republic, 23-25 March 2007 (on file with Human Rights Watch).

<sup>135</sup> Apart from an inaugural meeting in Bangui in June 2002, the representatives of the two countries never met again and no significant work came out of the commission. See: "Bangui, Khartoum vow to revive joint security team", *Sudan Tribune*, December 4, 2003, <http://www.sudantribune.com/spip.php?article1043> (accessed July 11, 2007)

<sup>136</sup> Human Rights Watch interviews, Tiroungoulou, February 26 and 27, 2007.

<sup>137</sup> United States Department of State, Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices – 2002, Central African Republic," March 31, 2003, <http://www.state.gov/g/drl/rls/hrrpt/2002/18174.htm> (accessed July 11, 2007).

<sup>138</sup> Human Rights Watch interview with Brigadier-General Raymond Paul Ndougou, former Prefect of Birao, Bozoum, February 12, 2007.



Implementation of the agreement, which involved Sudanese funding for a school in Tiroungoulou, construction of a mosque to the memory of Yahya Ramadan, and compensation to the victimized communities, most of them Gulas, was fitful and incomplete. A commission created to supervise the agreement and to address security issues did not publish any report. According to local leaders, compensation funds never reached the area, and even the then-prefect of the province admitted to Human Rights Watch that he did not know what had happened to the money.<sup>139</sup> Most Gulas believe that the money was embezzled by Bozizé after his takeover and used during his re-election campaign in May 2005.<sup>140</sup> Workers started construction of the mosque, but work stopped in May 2005. It is a profound grievance of the Gula community that money they believed was destined for them never arrived.

This was the local situation in early 2006 when Sudanese Government supported Chadian rebels opposed to Chadian President Déby set up bases in the Gula-dominated Tiroungoulou and Gordil areas from which, in April 2006, they launched an unsuccessful offensive on N'Djamena.<sup>141</sup> Published reports have identified two separate Chadian rebel groups based in the area: The Movement for Peace, Reconstruction and Development, (*Mouvement pour la paix, la reconstruction, et le développement, MPRD*), led by former Déby associate, Djibrine Dassert,<sup>142</sup> and elements of the United Front for Change, (*Front uni pour le changement, FUC*), led by Adoum Rakis, who was captured in N'Djamena during the failed April 2006 offensive.<sup>143</sup> At the time, both of these Chadian groups were associated with FUC leader Mahamat Nour.

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<sup>139</sup> Ibid.

<sup>140</sup> For example, a village leader in Ouandja told Human Rights Watch: "Yahya Ramadan was killed by [Sudanese] Arabs, and then we had gunbattles between the Gula and the Arabs. Then the Sudanese called for a reconciliation meeting...The Government of Sudan agreed that since their tribes had come on our territory, they would pay compensation. President Bozizé accepted the money to be given to the Gulas as compensation, but we never saw this money. We went to ask at the Sudanese Consul in Am Dafok, and he confirmed the money had been transferred to Bozizé. The money was used for the [2005] elections [campaign of Bozizé.]" Human Rights Watch interview with village leader, Ouandja, February 27, 2007.

<sup>141</sup> "Chad: Rebel Offensive Poses Risks of Ethnic Reprisals; Warring Parties Must Protect All Civilians", Human Rights Watch news release, April 13, 2006, <http://hrw.org/english/docs/2006/04/13/chad13172.htm>; Human Rights Watch, *Violence Beyond Borders: The Human Rights Crisis in Eastern Chad*, No. 4, June 22, 2006, <http://www.hrw.org/background/africa/chado606/chado606.pdf>; Human Rights Watch, *They Came to Kill Us: Militia Attacks and Ethnic Targeting of Civilians in Eastern Chad* (New York: Human Rights Watch, 2007), <http://hrw.org/reports/2007/chado107/>.

<sup>142</sup> Small Arms Project, "Sudan Issue Brief: A Widening War Around Sudan," January 2007.

<sup>143</sup> FIDH, "Forgotten, Stigmatised," p. 52.

Shortly after the failed offensive, Sudanese military planes are reported to have unloaded Chadian rebels in uniform, weapons, ammunition boxes, vehicles, and other military equipment at Tiroungoulou air strip.<sup>144</sup> Tiroungoulou's village chief, a Gula, went to inform government authorities of the arrival of the Chadian rebels, and a joint FACA and GP unit was sent to investigate. On May 26, the unit was attacked by "powerfully armed individuals," and two FACA officers were killed.<sup>145</sup>

Although the CAR defense ministry accused the attackers of "deliberately violating Central African territory," a clear suggestion that they believed the attackers to be foreigners, not CAR citizens,<sup>146</sup> the GP unit led by Lieutenant Dogo, infamous for his alleged personal involvement in summary executions around Bangui,<sup>147</sup> attacked Tiroungoulou, killing seven civilians and burning down 32 houses.<sup>148</sup> Hundreds were displaced, and some later died from harsh conditions in the bush.<sup>149</sup> The local population was outraged: they had nothing to do with the Chadian rebels or with the attack, had informed the authorities of the rebel presence, but had nevertheless been punished.<sup>150</sup>

Further fighting took place between the Chadian rebels and CAR security forces in June 2005. On June 3, a Chadian rebel attack killed a member of the CAR Parliament and two employees of the Ministry of Environmental Affairs.<sup>151</sup> On June 26, a fierce battle broke out between the Chadian rebels and a combined FACA, GP, and FOMUC force, resulting in the deaths of 11 FACA and GP soldiers including Lieutenant Dogo,

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<sup>144</sup> Human Rights Watch interviews, Tiroungoulou, February 26 and 27, 2007. See also: "CAR complains of Airspace violation in tri-border area with Chad and Sudan", *Global Insight Daily Analysis*, 27 April 2006 and "CAR-Chad", *IRIN*, 29 June 2006.

<sup>145</sup> Human Rights Watch interview with Sheikh of Tiroungoulou, Tiroungoulou, February 26, 2007.

<sup>146</sup> "Central African Republic army clashes with rebels in northeastern region," *BBC Monitoring Africa*, June 1, 2006.

<sup>147</sup> Lieutenant Dogo has been accused by international human rights groups and BONUS of direct involvement in at least 17 summary executions around the capital, Bangui in 2003 and 2004, but was never brought to account for his crimes. See FIDH, "Forgotten, Stigmatised," p. 47.

<sup>148</sup> According to Tiroungoulou village leaders, the seven civilians killed were: Abderahman Anglis, 60; Djabré Anglis, 50; Abdulkarim Djabré, 28; Abdou Morai, 28; Aroun Sarfayé, 25; Soumain Senten, 50; and Abdoulayé Deher, 30. Human Rights Watch interview (name withheld), Tiroungoulou, February 27, 2007.

<sup>149</sup> Human Rights Watch interview (name withheld), Tiroungoulou, February 26, 2007.

<sup>150</sup> *Ibid.*

<sup>151</sup> "33 Die in Army-Rebel Fighting," *IRIN*, 29 June 2006.

two Chadian FOMUC soldiers, and an estimated 20 rebels.<sup>152</sup> In a speech to the nation, President Bozizé denounced the rebels as “invaders” and “foreign aggressors,”<sup>153</sup> although some FACA officials accused Chadian and CAR rebels of having “teamed up to carry out attacks in both countries.”<sup>154</sup>

A perception has grown among both officials and the wider civilian population that the UFDR and ethnic Gulas are one and the same, and abuses by the UFDR have contributed to a sharp growth in anti-Gula sentiment. For example, an official report by the subprefecture of Ouadda, describing the three-week occupation of Ouadda by the UFDR, linked all local Gulas with the UFDR and blamed them for abuse:

The young Gula residents in Ouadda-Center linked up with their brothers in this group of rebels to mistreat all the governmental officials working in town, to commit exactions on the whole territory of the subprefecture, picked up all the medicine and the goods at the Ouadda medical center.<sup>155</sup>

Anti-Gula sentiment is threatening to spill over into ethnically-motivated violence, fear of which has led to the displacement of most of the Gula population from government-controlled towns. An estimated 60,000 people have been displaced in the three northeastern provinces affected by the insurgency.<sup>156</sup>

### *The grievances of ex-libérateurs*

Meanwhile, a separate strand of discontent among former supporters of General Bozizé joined cause with disaffected Gulas. When General Bozizé took over power in March 2003, he arrived in Bangui with hundreds of rebels, popularly known as the

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<sup>152</sup> Ibid.

<sup>153</sup> “CAR President calls for national unity following incursion,” *BBC Monitoring Africa*, July 3, 2006.

<sup>154</sup> “33 Die in Army-Rebel Fighting,” *IRIN*, 29 June 2006.

<sup>155</sup> “Histoire de la Sous-Préfecture de Ouadda à l’arrivée des rebelles”, Préfecture de la Haute Kotto, Sous-Préfecture de Ouadda, Secrétariat Sous-Préfecture, N°001/PHK/SPO/SSP.07.CF, 05 December 2006

<sup>156</sup> UN OCHA estimates that 15,000 out of 55,287 people are displaced in Vakaga; 15,000 out of 45,737 in Bamingi-Bangora; and 20,000 out of 95,556 in Haute-Kotto. The level of displacement in the northeast is much higher than in the northwest, with between 21 to 32 percent of the entire population displaced in the area (27 percent in Vakaga, 21 percent in Haute-Kotto, and 32 percent in Bamingi-Bangora). UN OCHA, “Central African Republic Fact Sheet”, February 2007, <http://ocha.unog.ch/humanitarianreform/Portals/1/cluster%20approach%20page/training/CSLT%20March%2007/best%20practices/CAR%20Fact%20Sheet.pdf> (accessed July 11, 2007).

“*libérateurs*.” These included former FACA soldiers who had deserted the national army, as well as Chadian elements. Some of these men, together with a company of about 30 Chadian soldiers, became the core of President Bozizé’s Presidential Guard. However, Bozizé could not incorporate all the *ex-libérateurs* into his regular security services, and tensions soon grew, with *ex-libérateurs* claiming that Bozizé had failed to fully pay them for their support and had reneged on other promises. *Ex-libérateurs* became increasingly involved in human rights abuses and banditry around Bangui, forcing Bozizé to act against their more unruly elements.<sup>157</sup>

Many of the *ex-libérateurs* became involved in banditry or joined nascent rebel groups in northern CAR.<sup>158</sup> In April 2004, close to 300 mostly Chadian *ex-libérateurs* began violent protests in Bangui, looting homes<sup>159</sup> and clashing with FACA forces before advancing within a few hundred meters of the Presidential Palace.<sup>160</sup> The protests were led by Captain Abakar Saboune, an *ex-libérateur* who in 2005 became a founding member of the UFDR.<sup>161</sup> President Bozizé agreed to grant each of the Chadian *ex-libérateurs* \$1,000 in exchange for their repatriation to Chad under the supervision of FACA.<sup>162</sup> However, many of them moved instead to northern CAR, particularly the largely Muslim northeast, where they are prominent among the leaders of the UFDR.

While the UFDR is popularly identified as a Gula-based movement, other Central African arab ethnic groups are also involved, and it is more appropriate to

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<sup>157</sup> “Annan ‘gravely concerned’ about rampant insecurity,” *IRIN*, January 7, 2004; “Central African Republic: Bozize urged to discipline his former fighters,” *IRIN*, December 19, 2003 (quoting President Bozizé as stating that abuses by *ex-libérateurs* “were part of the problems to be urgently settled.”); “Bozize dismisses Goumba’s government,” *IRIN*, December 11, 2003 (stating that Bozizé’s dismissal of Goumba’s government came “came after weeks of discontent among the residents of the capital, Bangui, following a number of assassinations of civilians blamed on the security forces and Chadian mercenaries.”).

<sup>158</sup> Henri-Blaise N’damas, “Centrafrique: Alliés hier, ennemis d’aujourd’hui,” *Syfia Centrafrique*, November 16, 2006, [http://www.ideesplus.com/SPIP/article.php?id\\_article=695](http://www.ideesplus.com/SPIP/article.php?id_article=695) (accessed July 11, 2007).

<sup>159</sup> “ICRC assists victims of looting in Bangui suburb,” *IRIN*, May 17, 2004.

<sup>160</sup> “Echanges de tirs entre armée centrafricaine et ex-“libérateurs” à Bangui,” AFP, April 17, 2004; “CAR Minister on clashes, says ex-combatants need disarmament, reintegration,” *BBC Monitoring Africa*, April 19, 2004; “Six dead, minister hurt in clashes between Central African army and ex-rebels,” AFP, April 18 2004; “Tirs: L’extrême nord de Bangui bouclé par les forces de l’ordre,” AFP, April 23, 2004; Jean-Lambert Ngouandji, “Shooting breaks out in Central African capital,” Reuters, April 22, 2004; “Heavy weapons fire heard in capital of Central African Republic,” AFP, April 22, 2004; Chris Melville, “CAR Government Reinforces Capital as Talks with Dissident Militia Collapse,” *WMRC Daily Analysis*, April 22, 2004.

<sup>161</sup> “Heavy weapons fire heard in capital of Central African Republic,” AFP, April 22, 2004.

<sup>162</sup> “Bozizé honors payment deal for former rebels,” *IRIN*, April 28, 2004.

characterize the UFDR as a coalition involving different elements dissatisfied with Bozizé: *ex-libérateurs* who feel Bozizé betrayed them; loyalists of ex-President Patassé; Gulas who feel marginalized and ethnically targeted; and the larger Muslim community who feel discriminated against.<sup>163</sup>

Compared to the APRD in the northwest, the UFDR are better equipped and have a more centralized military structure. In addition to semi-automatic weapons, UFDR combatants have military uniforms, rocket propelled grenades, and heavy machine guns and artillery mounted on vehicles.<sup>164</sup> They are also known to possess anti-aircraft guns, looted from FACA bases during the October-December 2006 offensive. The UFDR commanders claim to have the capability of sealing roads off with landmines and require all humanitarian convoys to seek prior clearance to ensure that roads are mine-free (but no mine incidents have been reported in northern CAR so far).

UFDR leaders claim that their movement is purely Central African and that they do not receive any outside support. Human Rights Watch has no evidence that the UFDR has received large amounts of military assistance from Sudan or other neighboring states. However, one CAR official captured by the UFDR in November 2006 told Human Rights Watch that while detained in Ouadda, he witnessed three uniformed Sudanese soldiers working openly with the rebels. When the UFDR was forced to abandon Ouadda in December 2006, an argument broke out between two UFDR commanders about whether to take along or execute the captured official, with one of the UFDR commanders arguing they needed the car space for the three Sudanese who “helped us organize this offensive”, and therefore deserved to be treated with respect. This raises the possibility that these Sudanese, while small in number, may have been military advisors rather than rebel recruits.<sup>165</sup> A few witnesses also affirmed that Chadian nationals were among UFDR combatants during late 2006 attacks.<sup>166</sup>

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<sup>163</sup> Witnesses to attacks last year describe the UFDR members as belonging mainly to the Gula but also to the Sarah, Ronga, and Haoussa. Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007 and Human Rights Watch interview with local official (name withheld), Ouanda Djallé, February 25, 2007.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

## Abuses by CAR Security Forces in the Northeast

Government forces committed serious human rights violations, including summary executions and some home burnings, following the recapture of towns and villages in late 2006, a pattern that was repeated in March 2007. Almost all of these abuses were committed against ethnic Gulas, causing the displacement of much of the Gula population from most of the towns formerly occupied by the UFDR, including Ndélé, Ouadda, Ouanda Djallé, and Birao.

### *Summary executions of Gulas and suspected rebels, and burning of civilian homes*

Despite high inter-ethnic tensions between the Gula community and government officials in the northeast, the level of army abuses in the northeast has been much lower than in the northwest. Human Rights Watch documented a number of home burnings, mostly in Gula-dominated villages such as Ouandja, as well as some summary executions of suspected UFDR rebels in the immediate aftermath of the counteroffensive by government forces in December 2006 (assisted by French and FOMUC troops).

The potential for greater abuses certainly exists, given the “thirst” for revenge felt by many soldiers and the civilian population that suffered abuses at the hands of the UFDR. The head of a medical center in Ouadda described the state of mind of the villagers and of the CAR armed forces when the rebels evacuated the town:

When the Presidential Guard came to Ouadda, people were thirsty to eradicate the Gulas. When I say “people,” I mean the local population and the Presidential Guard.<sup>167</sup>

Some of the most serious army abuses documented by Human Rights Watch took place in the Gula village of Ouandja, located between Ouanda-Djallé and Birao, which was retaken by a joint force of FACA and GP troops, assisted by FOMUC and French soldiers, on December 11, 2006. Fifty-seven Gula houses, as well as the local clinic, the school, the mayor’s office, and the gendarmerie building were burned by

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<sup>167</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

the FACA and GP in Ouandja. When the joint forces arrived in the village, the CAR soldiers immediately began burning homes, even as the French Army troops protested. A village official related to Human Rights Watch what he witnessed: “The French were still here when the FACA started to burn houses. They tried to stop the FACA, but the FACA refused to listen.”<sup>168</sup>

When FOMUC and French Army troops continued on their way to Birao, FACA and GP forces remained behind and executed seven people in Ouandja, including a former opposition member of Parliament, Zacharia Rizégala. A village official who was present during the execution and was almost executed himself described what he witnessed:

After the FACA had burned the houses, the Presidential Guard called Zacharia Rizégala and accused him of being a rebel because the rebels took his vehicle. He said he was not with the rebels and that the rebels took his car to Birao without his permission. The military said ‘You are an accomplice of the rebels.’ He denied any ties with the rebels. One of the GP took a hold of his clothes and the former MP pushed his hands away. Then the GP said ‘We are going to kill you.’ The former MP said ‘If you are going to kill me, let me go to my father and then kill me.’ They went together to his father’s house. He explained to his father that the soldiers had arrested him. Then a soldier shot him two times. The first shot missed him, but the second hit him in the chest. He fell down.<sup>169</sup>

Members of the GP then shot and wounded Kamkusa Abdullah Suleiman, a local villager, who survived. These same members of the GP continued to kill six more villagers in Ouandja, according to the local official who was present:

They fired three shots at me [but missed]. After this, they killed three more people: Abdel Masiq, Awadallah Idriss, and Hamid Hissein. They

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<sup>168</sup> Human Rights Watch interview (name withheld), Ouandja, February 25, 2007

<sup>169</sup> Human Rights Watch interview (name withheld), Ouandja, February 25, 2007

were ordinary villagers, they were not pisteurs<sup>170</sup> or rebels. At the end of the village, they fired on three people, two of them, Abdel Mournin Salim and Mahadi Ashman died on the spot, and the third one, Kalil Sabil died in the bush. We found his body seven kilometers away, eaten by the lions. <sup>171</sup>

FACA forces also burned 34 homes and killed five civilians in a second Gula village, Sergobo, which remained deserted when visited by Human Rights Watch on February 25, 2007.

In addition, at least 10 Gulas from Ouadda who tried to return home after joining the rebels were captured and summarily executed by FACA or GP soldiers. The last such execution, of a rebel suspect called Ambaouta, took place in Ouadda on February 11 or 12, 2007. A witness described to Human Rights Watch the killing of a 15-year-old boy, Donald, by GP forces in Ouadda, on December 3 or 4, 2006:

There was this young guy called Donald. He was 15 years old and was known in the village as not doing much. When the rebels came, he was totally excited. He wanted to join them. His father refused but he threatened his father. Nothing could stop him, and he joined the rebels. When they evacuated Ouadda, Donald left with the rebels. Donald came back a few days later. People in Ouadda looked at him and kept “pointing” at him. The Presidential Guard caught him in Lenda, one of Ouadda neighborhoods and they executed him on the spot. They slashed his throat. It was on December 3 or 4.<sup>172</sup>

Another witness told Human Rights Watch about three other killings, two ethnic Saras and an ethnic Gula:

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<sup>170</sup> Pisteurs are members of anti-poaching units who received limited military training to protect the local wildlife from poachers. Most pisteurs in the region are Gula, and some pisteurs are active in the UFDR rebel movement.

<sup>171</sup> Human Rights Watch interview (name withheld), Ouandja, February 25, 2007

<sup>172</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007



I know two Saras who have been killed by the Presidential Guard. One was called Gaba, and he was 35 years old. A Gula who had nothing to do with the rebels was arrested as he was coming to Ouadda from Bria. His name was Adoum. He was arrested on December 8 in the morning and executed around 6 p.m. the same day. He was a worker in the mining industry and had come to visit his parents here. He was 45 years old. The FACA executed him.<sup>173</sup>

A local official confirmed that at least 10 people were summary killed after the recapture of Ouadda. He did not rule out that local villagers, not security forces, may have killed some of the suspected rebels.<sup>174</sup> Yet another official in Tiroungoulou estimated that villagers south of Ouanda Djallé had killed around 30 suspected UFDR rebels since the end of December 2006.<sup>175</sup>

A Gula community leader in Ndélé told Human Rights Watch that four or five suspected UFDR rebels had been executed and killed by government soldiers since the recapture of the town in December 2006, most of them local people who had joined the UFDR, had fled during the counteroffensive, and then returned to Ndélé:

There are people from here who had joined the rebels and who left with them. They fled and might have got lost because they came back to Ndélé. They were captured by the FACA, maybe four or five, and executed. They were not executed together. One, a Gula, was executed at the entrance of Ndélé and his body left for two or three days. People came to see the dead body. Another one was killed in front of the police station and his body exhibited the whole afternoon. I don't know whether he was a Gula. One, a Gula from here, trained in an anti-poaching unit, was taken outside town and executed two kilometers from here. His name was Aouadala, he was 40 years old. A young seller at the market, an Arab, would have been executed too.<sup>176</sup>

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<sup>173</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>174</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>175</sup> Human Rights Watch interview (name withheld), Tiroungoulou, February 26, 2007

<sup>176</sup> Human Rights Watch interview (name withheld), Ndélé, February 23, 2007

Some of the most widespread burning of civilian homes took place in Birao, following a failed UFDR offensive on the town in early 2007. On March 3 and 4, UFDR rebels briefly took control of Birao before being forced to retreat when French airplanes bombed their positions. The fierce fighting caused the whole-scale flight of the civilian population and left massive destruction in its wake. According to preliminary UN estimates, some 70 percent of the homes in Birao, a town of 14,000 people, were burned during this period, mostly by FACA soldiers but also by UFDR rebels who targeted the homes of government officials or those of people who were perceived as being pro-government. A count by local officials found some 736 burned homes in 21 of the 24 districts of Birao, but this count deliberately left out the three majority Gula districts of the town, which have been completely burned down and abandoned.

As with prior UFDR attacks, the aftermath of the March 2007 attack increased inter-ethnic tensions in Birao, with many residents of Birao stating openly hostile views towards the Gulas in interviews with a joint UN/NGO assessment team. The Gula neighborhoods of Montagne, Manou, and Combatants were completely razed, and almost the entire Gula population of Birao fled the town. The mayor of Birao stated to the joint UN/NGO assessment team that he did not expect the displaced Gulas to come back to Birao.

Serious human rights violations by both sides during and after the March 2007 fighting have been documented by a UN assessment mission. FACA soldiers are reported to have been responsible for the “disappearance” of a young man who was detained and has not been seen since. When the local chief tried to inquire about the case, he was told he would also be killed if he didn’t stop asking questions. Further research is required to establish exactly what has occurred in Birao since the March 2007 attack, which took place after the Human Rights Watch research mission.<sup>177</sup>

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<sup>177</sup> UNHCR et al., “The People are Traumatized:” Report on a joint UN/NGO mission to Birao and Am Dafok, Central African Republic, 23-25 March 2007 (on file with Human Rights Watch); “CAR: Northern town empty as scared civilians stay away,” *IRIN*, March 22, 2007.

### *Displacement of Gulas*

The abuses committed by the FACA and GP against Gula communities, combined with the deep level of resentment from local officials and the population at large who identify all Gulas with the UFDR rebels, have caused the displacement of virtually the entire Gula community from most of the towns and villages formerly occupied by the UFDR, including Ndélé, Ouadda, Ouanda Djallé, and Birao. One elderly man told Human Rights Watch:

My son has fled like all the Gulas when the rebels evacuated. He had nothing to do with the rebellion and was not a rebel but rumors said that the FACA were coming to town to kill the Gulas.<sup>178</sup>

A Gula community leader from Ouadda who took refuge in Tiroungoulou at the end of December explained to Human Rights Watch why his community had fled:

We left Ouadda, 340 of us, all Gulas. We traveled together to Tirangoulou. We walked for 22 days in the bush. When we heard that the FACA and the French army were coming to Ouadda, we decided to leave. People had already started to point accusing fingers at us.<sup>179</sup>

A non-Gula man with a Gula wife explained how it was too dangerous for him and his family to stay in Birao after the UFDR rebels left the town. He told Human Rights Watch:

When the rebels evacuated Birao, the other [ethnic groups] began to attack the Gulas, to take revenge. People designated Gula houses in the neighborhoods. Groups from 10 to 15 people armed with knives and machetes rampaged the streets. We didn't feel safe.<sup>180</sup>

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<sup>178</sup> Human Rights Watch interview (name, place, and date withheld).

<sup>179</sup> Human Rights Watch interview (name withheld), Tiroungoulou, February 27, 2007.

<sup>180</sup> Human Rights Watch interview (name withheld), Tiroungoulou, February 26, 2007.

Almost no Gulas remained in most of the formerly UFDR-held towns when visited by Human Rights Watch in February 2007. In Ouadda, for instance, the Gula community counted between 300 and 400 out of 7,693 inhabitants before the UFDR occupation. The entire community left when governmental troops re-took the town, save one Gula man who was detained for two weeks, during which time he was threatened with execution.<sup>181</sup> The entire Gula neighborhood is empty, some houses have been burned by FACA soldiers, and others looted.

## **Abuses by UFDR rebels**

UFDR rebels have routinely committed serious human rights abuses. There are many reports that rebels have fired indiscriminately on civilians as they have entered towns and villages, causing deaths and flight, followed by looting on a massive scale. In addition, they have carried out summary executions and other unlawful killings of civilians, and there are credible allegations of rape.

### *Killings and Executions of Civilians*

Human Rights Watch documented indiscriminate firing on fleeing villagers during the initial UFDR attacks on Délembé, Ouanda Djallé, Ouadda, and Ndélé during the October to December 2006 offensive.

As UFDR rebels arrived in the village of Délembé, an ethnic Kara village, on the afternoon of October 31, they opened fire on civilians. Abdoulayé Mohammed, the treasurer of the local hospital, tried to hide but was spotted and shot dead at close range. The rebels then looted the hospital, stealing 513,000 CFA [\$1,026] in cash and the hospital supplies. A local official reported to Human Rights Watch that three young children and an old woman were also hit by UFDR bullets and died from their wounds:

The shots fired by the rebels also hit others, including three children, one, Mourvé was 9 months old, and the other two were one and two

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<sup>181</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007.

years old. They all died. An old woman, Toma al-Hemra, was also hit inside her home and died.<sup>182</sup>

At Ouanda Djallé indiscriminate fire by UFDR rebels forced most of the civilian population to flee into the bush, where they remained for the duration of the three-week occupation of the town. Rebels also shot civilians in the bush as they searched them out to steal food. In early November rebels executed Albert Gassa Almendé, an elderly blind farmer at his home, in Ouanda Djallé. A witness recounted what had happened:

When the rebels showed up at the hamlet, I heard gun shots. They came to our house and got everybody out. They asked ‘Where are the men?’ [Albert] was staying outside in the shade of one of the huts. He was blind and did not move much. We replied ‘There are no men around’. Then the rebels spotted [Albert] outside and shot him at close range, he was only three meters away.<sup>183</sup>

On November 10, UFDR rebels killed Bardal Djémé, the chief of the self-defense force in Ouanda Djallé. After he was detained, the rebels took him to his house, demanding he show them his weapons. A witness recounted to Human Rights Watch what happened next:

One of the rebels asked where he kept the gun he had received. Bardal replied he had no weapon. Then they asked for ammunition. Bardal replied that he had no ammunition too. Suddenly, one of the rebels pulled a knife. Bardal struggled with the rebel who fell on the floor. Bardal burst out of the hut and tried to run away, but he was immediately shot in the back.<sup>184</sup>

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<sup>182</sup> Human Rights Watch interview (name withheld), Délembé, February 27, 2007

<sup>183</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007

<sup>184</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007

When UFDR rebels captured Ouadda in November, they also fired indiscriminately at the population, causing no casualties but forcing the population to flee. On November 23, 2006, rebels in Ouadda murdered Alhadji Ahmat, a wealthy local businessman, while looting his home and shop. A witness related to Human Rights Watch what had happened:

He was wealthy and was famous for giving money to the poor, and helping people dealing with the local bureaucracy. The rebels took his Thuraya phone, 25 millions CFA, and his hunting guns and ammunitions. Then they killed him.<sup>185</sup>

According to local government officials, UFDR rebels carried out three more unlawful killings during the late 2006 attacks. The bullet-ridden body of an ethnic Sara youth was discovered six kilometers from Ouadda on November 19, four days after he was detained by rebels in the town. In a second incident, Radjab Salié, a resident from Ouadda, and a retreating FACA soldier he was transporting on his bike were stopped and killed by UFDR rebels on the Gbali-Ouadda road.<sup>186</sup> The execution of captured combatants, like the retreating FACA soldier, is prohibited by the laws of war.

According to various officials and residents of Ndélé, UFDR rebels also fired their weapons indiscriminately when they captured the town on November 25, 2006, causing the population to panic and flee into the bush. One gendarme and one FACA soldier were killed during the UFDR capture of Ndélé, but Human Rights Watch did not receive any reports of civilians being killed or wounded during the UFDR offensive.<sup>187</sup>

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<sup>185</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>186</sup> See: "Histoire de la Sous-Préfecture de Ouadda à l'arrivée des rebelles", Préfecture de la Haute Kotto, Sous-Préfecture de Ouadda, Secrétariat Sous-Préfecture, N°001/PHK/SPO/SSP.07.CF, 05 December 2006

<sup>187</sup> Human Rights Watch interview with subprefect Jean-Nestor Lopere, Ndélé, February 22, 2007; Human Rights Watch interview with commander of gendarmerie, Ndélé, February 22, 2007; Human Rights Watch interview with Gula representative (name withheld), Ndélé, February 23, 2007.

### *Looting of Civilian Property*

In all towns and villages they occupied, UFDR rebels carried out widespread looting and destruction. Rebels systematically sought out, looted, and destroyed all symbols of the state, including police stations, army barracks, court buildings, the mayor's offices and homes, the offices and homes of the prefect or subprefect, and the offices of the water and forest services, among others. During the occupation of most towns and villages, the civilian population fled their homes in fear, and often remained living in the bush for the duration, leaving their homes and livestock unprotected.

For example, during the occupation of Ouanda Djallé and Ouadda in November and December 2006, UFDR rebels looted goats, chickens, vegetables, and other foodstuff from villagers. After looting the main village markets and neighborhoods, the rebels pillaged more outlying areas as food stocks in the center of towns ran out. In the vicinity of Ouanda Djallé, the UFDR forces looted food stored in homesteads and then burned down numerous hamlets. Many of the affected villages still suffered from food shortages as a result of the looting when visited by Human Rights Watch in February 2007.

Looting was particularly acute in areas where the UFDR concentrated a large number of fighters, like in Ouadda, a town of 7,500 inhabitants where between 700 and 1,000 rebels based themselves for almost three weeks. Witnesses say they faced few abuses the first days of the occupation but that as more rebels flocked in, food shortages became acute and the behavior of the rebels changed for the worse. A Ouadda resident recounted his experience with the rebels:

The rebels invaded the city and occupied the city hall, the subprefect office, the gendarmes' base, the medical center, the post office, and the airstrip. During the first week, the occupation went rather well but then their behavior deteriorated tremendously. They began to demand food like goats and chicken, and then they asked for money. They broke open the shops at the market, all the shops, and looted

everything. Finally, they started to harass people who were going to the market to sell their products. The rebels stole their goods.<sup>188</sup>

An official confirmed that the medical center had been looted by the UFDR rebels: “They looted everything at the health center: medicine, tools, tables, beds, mattresses, posters, and even the paperwork of the center.

Personal belongings and public property were also stolen. In Ouanda Djallé, a town with a population of 2,839, for example, all administrative buildings, medical centers, churches, and private homes were comprehensively looted. One villager recalled:

The rebels broke open all the private houses in town... They attacked us in the fields also, day after day, hamlet after hamlet. Everything they could put a hand on, they took it. They went from house to house and looted everything. In the fields, they burned houses and also huts full of food they could not take away. They even set crops afire.<sup>189</sup>

### *Beatings of civilians*

UFDR rebels have frequently beaten civilians in order to extort money or goods, or to obtain information about government officials. One business woman in Ouanda Djallé told Human Rights Watch that she was detained by rebels and taken to their local headquarters where she was severely beaten. The rebels were looking for her husband, a gendarme:

A few days after the rebels came into town, I came back to my home to check what happened. I saw that everything had been looted and I started to cry. A few moments later, the rebels showed up. They asked where my husband was. I didn't know and they took me to the hospital where they had set up their camp. They put me in a room and started to beat me. They beat me and beat me again. They beat me on the

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<sup>188</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>189</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007



head with the butt of their guns. It lasted the whole day. When they released me around 5 p.m., I went back to the place I was staying in the bush. I became ill and I lost my pregnancy two weeks later.<sup>190</sup>

A Ouadda resident explained to Human Rights Watch how he was beaten and left tied up by a group of UFDR rebels as they stole his motorcycle to flee Ouadda at the end of November 2006:

The rebels had seen me in Ouadda and knew I had a motorcycle. At some point, I hid my motorcycle. A few days later, they caught me three kilometers away from Ouadda. They beat me, they slapped my face and they beat me again. They wanted my motorcycle. It was when the FACA and the FOMUC forces were attacking and the rebels were retreating. The rebels tied me and left me on the side of the road bleeding. It took me five hours to free myself.<sup>191</sup>

The head of the Ouadda health center had to flee and hide as the rebels searched for government officials. He explained that his staff had been beaten by the rebels during the occupation:

My staff was beaten up, including the supervisor of the hospital and our security guard. The rebels told them: ‘The chief has left. You are going to pay for that’. They tied them and beat them up.<sup>192</sup>

The UFDR rebels also forced some civilians to perform menial tasks such as cooking for them, or transporting looted goods. A 15-year-old girl from Ouanda Djallé described how she and another young girl were forced to carry looted goods for the UFDR rebels:

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<sup>190</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007

<sup>191</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>192</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007.

The house was burning down. Everything has been picked up, even the clothes. They [the rebels] asked me to take the bags and to come with them. We walked eight kilometers. It was hot. They didn't give me water. I was with another girl from the village. When we arrived, we put down the baggage, and they asked me to leave.<sup>193</sup>

### *Rape and other forms of Sexual and Gender-Based Violence (SGBV)*

One case of gang-rape has been verified by a joint UN/NGO assessment team that visited the town of Birao, following the UFDR attack in March 2007. A 22-year-old woman reported that she was raped by five UFDR soldiers at the central market on the afternoon of March 3. She had gone to the market to look for food for her daughter and was stopped by rebels who were looting surrounding buildings. All five men raped the woman, while her two-year-old daughter stood nearby.<sup>194</sup>

Other humanitarian assessment missions have recorded allegations of dozens of cases of rapes by UFDR rebels in various localities, but these have not, as yet, been verified.<sup>195</sup> During its research mission, Human Rights Watch did not find significant evidence of conflict-related rape or other forms of SGBV in the places it visited. Neither have international medical humanitarian workers present throughout the crisis documented or treated rape cases. In Ouadda, the head of the medical center said that he had not received any cases of SGBV perpetrated by rebels.

However, collecting evidence of rape and sexual violence is not straightforward, as survivors or their families may not chose to make incidents public to avoid stigma and discrimination. It is possible that some incidents of SGBV took place during the UFDR occupation and during the subsequent recapture of the towns by the CAR security forces in December 2006. The head of the Ouadda medical center, for

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<sup>193</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007

<sup>194</sup> UNHCR et al., "The People are Traumatized:" Report on a joint UN/NGO mission to Birao and Am Dafok, Central African Republic, 23-25 March 2007 (on file with Human Rights Watch).

<sup>195</sup> For example, a humanitarian assessment mission which visited the region in January 2007 reported alleged 10 cases of rape in Ouanda Djallé and 35 cases of rape in Ouadda reported by local authorities, although it could not investigate the allegations because of the limited time available (a short, one hour visit to the town). Health and civilian officials in both towns, as well as local civilians, denied to Human Rights Watch there had been cases of rape during the UFDR occupation of their town.

example, added that he would not be surprised if cases came to his knowledge in the coming months.<sup>196</sup> The subprefect of Ouanda Djallé explained that cultural taboos may prevent women from coming forward to talk about rape:

When it comes to the entire female population of Ouanda Djallé during the occupation, I can't rule out that rapes happened, but it will be kept secret.<sup>197</sup>

According to a witness in Ouadda, one of the main UFDR commanders present in this city during the occupation, Captain Yao, acknowledged abuses including rape committed by his troops during a public speech. During a public address in downtown Ouadda on November 25, Yao reportedly told his troops: "It is forbidden to attack civilians, to loot and to rape women. It is what you have done that contributed to our failure".<sup>198</sup> Captain Yao was later killed during the December counteroffensive.

### *Child soldiers and forced recruitment*

UFDR commanders denied having child soldiers to Human Rights Watch. However, an OCHA-led interagency UN assessment mission that traveled throughout the UFDR territory in January 2007 reported seeing numerous children in their ranks. Witnesses told Human Rights Watch that they have seen child soldiers with the rebels during the October-November 2006 offensive. An official at the Ouanda Djallé high school described what he saw, on November 10, 2006, when the UFDR rebels arrived in Ouanda Djallé:

The rebels were numerous, they came aboard seven vehicles. Some came by foot. They were 800, maybe 900. There were even child soldiers among them, as young as 14 years old.<sup>199</sup>

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<sup>196</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>197</sup> Human Rights Watch interview (name withheld), subprefect, Ouanda Djallé, February 25, 2007

<sup>198</sup> Human Rights Watch interview (name withheld), Ouadda, February 28, 2007

<sup>199</sup> Human Rights Watch interview (name withheld), Ouanda Djallé, February 25, 2007

The UFDR also appears to have engaged in forced recruitment of children (and adults). When the UFDR retreated from Ouanda Djallé, they forcibly recruited at least five children and three young adults: Ali Moussa, aged 16; Ahmed Sendé, 16; Alexi Izen, 16; Alias Djouma, 15; and Hassan Sangayé, 15; Abaker Siar, 20; Stéphane Aroun, 27; and Ndopandji, 18. None have been seen since.<sup>200</sup>

A January 2007 UNICEF assessment mission to Vakanga province confirmed the presence of “armed children” among the ranks of UFDR. Following talks between UNICEF and the UFDR’s military chief, Damane Zakaria, the UFDR agreed in May 2007 to release some 400 child soldiers from its ranks. An initial list with 220 child soldiers to be demobilized was handed over to UNICEF at this time.<sup>201</sup>

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<sup>200</sup> Human Rights Watch interview (name withheld), subprefect, Ouanda Djallé, February 25, 2007.

<sup>201</sup> “UNICEF starts talks on child disarmament in Central African Republic,” UNICEF press statement, May 21, 2007, [http://pretoria.unic.org/index.php?option=com\\_content&task=view&id=295&Itemid=93](http://pretoria.unic.org/index.php?option=com_content&task=view&id=295&Itemid=93) (accessed July 11, 2007).

## **Conclusion: The need for Protection and Accountability**

At its heart, the crisis in northern CAR is one of human rights. Government troops and to a lesser extent rebel forces have committed grave human rights abuses against the civilian population. Government troops have committed hundreds of summary executions and other unlawful killings, of which at least 100 have been documented by Human Rights Watch, and have burned down more than 10,000 civilian homes. Rebel forces have committed widespread looting and beatings against civilians, and the UFDR has committed some executions and rapes. Both the APRD and UFDR have used child soldiers. As a result of the war, some 212,000 people have been displaced from their homes, living in precarious conditions in the bush, too afraid to go home and rebuild their destroyed villages.

In order to end this crisis, there is an urgent need for the protection of the civilian population, and those responsible for the abuses must be brought to account.

### **A Homegrown Crisis with Regional Dimensions**

As one report on the crisis in Central African Republic has pointed out, it is incorrect to speak of it as one of the world's forgotten crises, because "the act of forgetting implies prior knowledge. The crisis in the CAR is not a forgotten emergency: it is virtually unknown and unrecognized."<sup>202</sup> For most of the international community, the long-standing crisis in the Central African Republic simply does not make it onto their radar screen. Even today, most of the international community's interest in events in CAR focus on the "spill-over" effect of the Darfur crisis and the efforts to contain the war in Darfur, ignoring the domestic causes of the unrest in CAR, as well as the responsibility of CAR government troops for much of the carnage in northern parts of the country.

After first denying the existence of any organized armed rebel groups, President Bozizé has frequently characterized the rebellion in northern CAR as a spillover of

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<sup>202</sup> Refugees International, "Central African Republic: An Unknown Emergency in a Dangerous Region," December 14, 2006, <http://www.refintl.org/content/article/detail/9725> (accessed July 11, 2007).

the Darfur conflict into CAR. In a July 2006 speech to the nation, President Bozizé characterized the UFDR rebellion as “bloodthirsty and criminal individuals... supported by foreign powers hostile” to the CAR, referring to Sudan.<sup>203</sup> The description of the CAR rebellions as a “spillover” conflict from Darfur has become so common as to be widely accepted as conventional wisdom. A recent NGO report described the UFDR rebellion as “armed groups of Chadians and Central Africans united by the Sudanese dinar.”<sup>204</sup> In his testimony to the US Senate in March 2007, Deputy Assistant Secretary of State for African Affairs, James Swan directly linked the conflicts in CAR and Chad to Darfur, stating that “We are seeing the brutal tactics of Darfur—and their tragic consequences—transferred across the porous border into eastern Chad and the Central African Republic.”<sup>205</sup>

The existence of some “spill-over” elements of Darfur in Chad has been clearly documented by Human Rights Watch and others. Sudan is certainly sponsoring Chadian anti-Déby rebel movements based in Darfur, and Sudanese militia have carried out brutal attacks in eastern Chad, exacerbating Chad’s internal tensions.<sup>206</sup> However, suggesting that the conflict in CAR is merely a “spillover” effect of the Darfur war, and that the main sponsor of the CAR rebel movements is Sudan is inaccurate and misleading.

As documented in this report, the CAR rebel movements, particularly the APRD in the northwest, have received minimal external support and their grievances are local. In the northwest, the APRD rebel movement has grown out of dissatisfaction over the exclusion of ex-President Patassé from the current political scene in CAR, and perhaps even more importantly over the grave state of insecurity, caused by *zaraguina* banditry and attacks by the army against the civilian population. Although there are Chadians and Sudanese in the UFDR in the northeast, its membership is overwhelmingly local. The movement comprises members of the Gula minority

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<sup>203</sup> “CAR president calls for national solidarity following incursion,” *BBC Monitoring Africa*, July 3, 2006.

<sup>204</sup> FIDH, “Forgotten, Stigmatised,” p. 53.

<sup>205</sup> “U.S. Pledges Help for Refugees in Chad, Central African Republic—State Department official cites effects on neighbors of Darfur conflict”, Bureau of International Information Programs, US Department of State press release, March 20, 2007, <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2007&m=March&x=200703201442231EJrehsiFo.321789> (accessed July 11, 2007).

<sup>206</sup> Human Rights Watch, *They Came to Kill Us’: Militia Attacks and Ethnic Targeting of Civilians in Eastern Chad* (New York: Human Rights Watch, 2007).

community who feel marginalized and discriminated against; *ex-libérateurs* who helped bring Bozizé to power and now feel he betrayed his promises to them; members of CAR's larger Muslim community who feel the current administration is anti-Muslim; and other residents of the remote Vakaga province in rebellion against the marginalization and underdevelopment of their region. These local rebel movements have local agendas and require a political solution. Painting them as agents of Sudan delegitimizes otherwise legitimate grievances.

This is not to argue that the conflicts in Sudan and particularly Chad have not had a significant impact on the CAR crisis. Sudan's sponsorship of anti-Déby Chadian rebel groups has extended to supporting Chadian rebels based on CAR territory, and may have extended to some limited Sudanese support for the UFDR rebels based in the same area; Human Rights Watch also found some indications that Sudanese military advisors may have provided support to the UFDR military offensive in October-November 2006. The role of Chad is even more substantial in the northwest, but mostly in support of the CAR government.

Suggesting Darfur is the catalyst ignores the reality of the conflict in northern CAR and obscures the issue of responsibility and accountability for human rights abuses, particularly in northwestern CAR. The vast majority of the major atrocities being committed in northwestern CAR—the widespread summary executions and other unlawful killings, and the massive burning of villages—have been committed by government troops, not by forces supported by outside elements.

## **The Need for Protection**

In order to resolve the crisis in northern CAR, the civilian population must be protected from human rights abuses committed by armed parties in the north, including the CAR armed forces, anti-government rebels, and *zaraguina* banditry groups.

The duty to protect the civilian population in northern CAR lies first and foremost with the CAR authorities. The CAR authorities have the obligation to stop abuses committed by their troops and to bring those responsible for abuses to account. They are failing miserably in meeting this obligation: as documented in this report, FACA

and GP troops are responsible for the vast majority of serious human rights abuses in northern CAR.

However, bringing security and protection to the north requires more than military reform. In the long-term, security can only return with the re-establishment of the devastated infrastructure of law and order, including a well-trained civilian police force, and a functional court system that allows access to justice for the civilian population.

The international community also must play a more active role in promoting civilian protection in the north. Diplomatic engagement with the CAR authorities must include calling for an end to human rights abuses by CAR forces as a central element of all discussions, and any security assistance to CAR should be contingent on a concrete commitment to end human rights abuses by the army, and should include core human rights training for the army. Vetting procedures should be instituted to remove officers and soldiers responsible for human rights abuses and violations of the laws of war from the security services.

One way to improve monitoring of and response to abuses in northern CAR would be to increase the number of international protection officials and dedicated human rights monitors in northern CAR. After a virtual absence of UN civilian protection staff from northern CAR for most of 2005 and 2006, the UN agencies active in CAR are slowly increasing their protection presence in the north and opening up UN offices in war-affected cities, but much more needs to be done before such a presence can be considered an effective protection presence.

Of particular concern is the passive role of the human rights unit of BONUCA, the long-standing UN peace-support mission in CAR. Even though the BONUCA human rights unit has a staff of 19 persons<sup>207</sup> and has a mandate to monitor the human rights situation in CAR, the human rights section does not systematically collect

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<sup>207</sup> At the time of the February 2007 Human Rights Watch visit, the BONUCA human rights unit had the following staff: In Bangui, a chief of section, one human rights officer, one associate human rights officer, 3 human rights assistants, and an administrative secretary; at the Bouar field office, an officer-in-charge, 2 human rights assistants, and an administrative secretary; at the Bossangoa field office, an officer-in-charge, 2 human rights assistants, and an administrative secretary; at the Bambari field office, an officer-in-charge (vacant at the time), 2 human rights assistants, and an administrative secretary. The officers-in-charge in the Bouar and Bossangoa offices were members of the UN Volunteers (UNV) program.



information on human rights abuses in northern CAR, and issues no regular public or internal UN reports on its human rights monitoring activities, in sharp contrast with the human rights sections of the UN peacekeeping missions in neighboring DRC and Sudan, both of whom conduct extensive monitoring activities and issue weekly human rights reports. The BONUCA human rights section also seems to do minimal, if any, substantive reporting to the Office of the High Commissioner for Human Rights (OHCHR) in Geneva. The failure of the BONUCA human rights section to effectively monitor and report on human rights violations should be urgently addressed by the UN.

In 2006 and early 2007, the UN Security Council sent two Technical Assessment Missions to Chad and the Central African Republic to evaluate the feasibility of deploying a UN protection mission to the region. The proposed UN protection mission was mostly envisioned as an alternative to a UN peacekeeping mission in Darfur that remains blocked by the Sudanese authorities, and thus focused on containing the “spill-over” effects from Darfur. However, as this report shows, the situation in northern CAR is largely a home-grown one, and the population’s most urgent protection needs are from abuses committed by the CAR army, not Sudanese-backed rebels. If the UN Security Council moves ahead with its plans to deploy the protection mission in the region, the mandate for any CAR force should include support to civilian protection among its tasks.<sup>208</sup>

## The Need for Accountability

The government of CAR has lauded a peace agreement signed with Abdoulayé Miskine, the leader of the Democratic Forces for the Central African People (*Forces démocratiques pour le peuple Centrafricain, FDPC*), in Libya in January as a breakthrough agreement that signals the end of the northern rebellions. However, it is doubtful that this peace agreement will have a significant impact on the conflict. Abdoulayé Miskine—a former mercenary of Patassé, and a suspected war criminal—does not represent either the APRD or the UFDR and has been rejected as a legitimate representative by both rebel movements. Although disavowed by some

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<sup>208</sup> Human Rights Watch has made detailed recommendations to the UN Security Council on how the proposed protection mission to neighboring Chad could ensure civilian protection. See Human Rights Watch, *Ensuring Civilian Protection in Chad: the Proposed UN Mission*, No 1, February 2007, <http://www.hrw.org/backgrounder/africa/chado207/>.

UFDR officials, including the *ex-libérateur* Saboune, the signature of a peace agreement by “General” Damane Zakaria, the UFDR’s chief of staff, on April 13, 2007, appears to be a more significant step towards peace in the northeast.<sup>209</sup>

Accountability for the large-scale crimes committed in northern CAR has to be an essential part of resolving the northern rebellions: the victims of rebel and army atrocities deserve justice, and ending impunity by state security forces is an essential component of reducing the cycle of violence in the north. The identities of some of the most responsible perpetrators, such as commanders of the Bossangoa-based GP unit responsible for many summary executions and village burnings, are well-known. President Bozizé recently publicly recognized that “there have been some serious lapses in behavior during military operations,”<sup>210</sup> and promised a top UN humanitarian envoy that “military abuses would be dealt with promptly and correctly,”<sup>211</sup> but no FACA or GP officer has yet to be investigated or punished, let alone disciplined, by the CAR authorities.

In April 2006 CAR’s Court of Appeal recognized the inability of domestic courts to prosecute war criminals, stating that “the inability of the Central African justice system to carry out effective investigations and prosecutions is clear.” The Court of Appeal suggested that justice could only come from the ICC: “the ICC offers the possibility of finding and punishing the perpetrators of the most serious crimes which affect the international community as a whole, *in the place of States which are incapable of carrying out effective investigations and prosecutions.*” (emphasis added)<sup>212</sup>

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<sup>209</sup> “Central African Nation to Sign Peace Deal with Rebels,” Associated Press, April 13, 2007. UFDR leaders have denied that an earlier deal (January 2007) between Abdoulayé Miskine, the head of *Front démocratique du peuple Centrafricain* (FDPC), and the CAR authorities had any relationship with the UFDR, although Miskine has frequently claimed to speak for the group (Communiqué de presse de l’Union des forces démocratiques pour le rassemblement (UFDR)-RCA, “On the Importance of Dialogue in the Search for Peace in the Central African Republic” (De L’Importance du dialogue pour la paix en République Centrafricaine,) January 31, 2007.)

<sup>210</sup> “Sudan’s Darfur conflict destabilizing region—UN official,” Associated Press, April 1, 2007.

<sup>211</sup> “UN Humanitarian Chief Meets CAR President, Urges Protection,” UN OCHA press release, March 31, 2007, <http://ochaonline.un.org/News/OCHANewsCentre/PressReleases2007/2007JantoJuly/tabid/1927/Default.aspx> (accessed July 11, 2007).

<sup>212</sup> CAR Cour de Cassation, decision of April 11, 2006.

On May 22, 2007, the ICC prosecutor, Luis Moreno-Ocampo, announced that his office would open a formal investigation into crimes under the ICC's jurisdiction committed in the CAR in 2002 and 2003, with a particular focus on the widespread rape and sexual violence committed during this period. The prosecutor's office also announced that it would "continue gathering information and monitoring allegations of crimes being committed" during the course of the current fighting in northern CAR.<sup>213</sup>

All states have a responsibility to bring to justice perpetrators of war crimes and other international crimes committed in their jurisdiction, and CAR is no exception. Referral of crimes to the ICC should only take place when it is clear that the national institutions and authorities are unable or unwilling themselves to bring prosecutions, and even then it is those who bear the greatest responsibility for the most serious of offences who will be prosecuted by the ICC. The weakness of state institutions and the widespread impunity that exists in CAR are not excuses for the domestic failure to bring about justice, but rather part of the problem itself. Disciplining, investigating, and prosecuting abusive troops must be part of the solution to ending the crisis in CAR, with international support. The ICC should explore ways to end the prevailing impunity for the serious crimes detailed in this report, not only through its own investigations but also by building national capacity.

### **The Role of the French Military**

As the former colonial power in CAR (known in colonial times as Ubangui-Chari), France continues to play a dominant role in CAR and has a prominent defense role in the country. France has a formal defense accord with the CAR, a stronger form of military support than the military cooperation accord it has with neighboring Chad. France maintains a contingent of 220 French soldiers in CAR and has augmented this contingent with additional soldiers following the UFDR's capture of Birao in October 2006.

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<sup>213</sup> ICC Office of the Prosecutor, "Background: Situation in the Central African Republic," May 22, 2007, available at [http://www.icc-cpi.int/library/press/pressreleases/ICC-OTP-BN-20070522-220\\_A\\_EN.pdf](http://www.icc-cpi.int/library/press/pressreleases/ICC-OTP-BN-20070522-220_A_EN.pdf) (accessed June 20, 2007).

Following the capture of Birao by the UFDR, President Bozizé claimed that Sudanese President Bashir was “at the origin of the attacks our country has suffered,” and made a direct call for French military intervention, stating in a speech to the population:

We cannot understand why France is reluctant to help our army; we have signed a defence accord with France and there is no reason for France to stay away when the CAR is attacked by foreign troops.<sup>214</sup>

France responded by expressing its support for Bozizé, stressing that the instability in CAR was “related to a large degree to the situation in Darfur.” French officials stated that France would honor its military commitments to the CAR.<sup>215</sup> France sent additional military troops to CAR and expanded its overflights, underway since January 2006, to collect reconnaissance information on the rebels.<sup>216</sup>

In late November and early December, the French led the military counteroffensive involving FOMUC, FACA, and GP troops to successfully retake UFDR-held towns. The offensive involved airstrikes by French fighters that led to massive displacement of the civilian population, although the majority of the casualties appear to have been rebels rather than civilians.<sup>217</sup> French ground forces also accompanied FOMUC, FACA, and GP troops during the ground offensive.

The role of the French military is not limited to direct military assistance. French troops also engage in training of CAR military officials, both from FACA and from the GP.<sup>218</sup> The close relationship between the French military and CAR military forces raises serious human rights concerns.

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<sup>214</sup> “CAR: Help us kick rebels out of town, Bozize urges France,” *IRIN*, November 9, 2006, <http://www.irinnews.org/report.aspx?reportid=61515> (accessed July 11, 2007).

<sup>215</sup> “La France fidèle à ses engagements en Afrique,” *Panapress*, December 11, 2006, <http://www.afrik.com/article10847.html> (accessed July 11, 2007); “Central African govt asks France to help repel rebels,” Reuters, October 31, 2006; Said Ait-Hatrit, “Villepin met en garde les rebelles tchadiens et centrafricains,” *Afrik.com*, December 1, 2006, <http://www.afrik.com/article10783.html> (accessed July 11, 2007).

<sup>216</sup> Small Arms Survey, “A Widening War Around Sudan,” p.6.

<sup>217</sup> “CAR: Hundreds flee Birao as French jets strike,” *IRIN*, December 1, 2006.

<sup>218</sup> Human Rights Watch interview with French Ministry of Defense official, Paris, February 9, 2007.

French forces often come uncomfortably close to abuses committed by their CAR counterparts, but often seem to continue with business as usual, ignoring the evidence before their own eyes. Although some individual soldiers have raised specific incidents they have witnessed with their military counterparts and have tried to take action to prevent abuses, other incidents appear to have gone unremarked and unreported. During the November-December counteroffensive, FACA and GP troops began burning homes in the Gula town of Ouandja in the presence of French troops and then executed civilians after the French troops had moved on. In Bangui itself, Human Rights Watch observed uniformed French Gendarmes at the offices of the OCRB, just two weeks after the OCRB unit had publicly executed two captured Chadians, and apparently oblivious to the five half-naked and obviously beaten “bandits” being moved in front of them.

The French authorities have so far maintained almost absolute silence on human rights abuses and possible war crimes being committed by the CAR military. The French military cannot avoid entanglement in the CAR’s military abuses and has a duty to take a more active role in preventing abuses by the CAR forces they are supporting and training, as well as pushing for accountability for the crimes committed by these forces. France has tremendous leverage in dealing with abuses by the CAR forces: French military support played a decisive role in Bozizé’s ability to retake the UFDR-held towns in northeastern CAR, and it is unlikely that the CAR army would be able to keep control of northern CAR without French support.

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