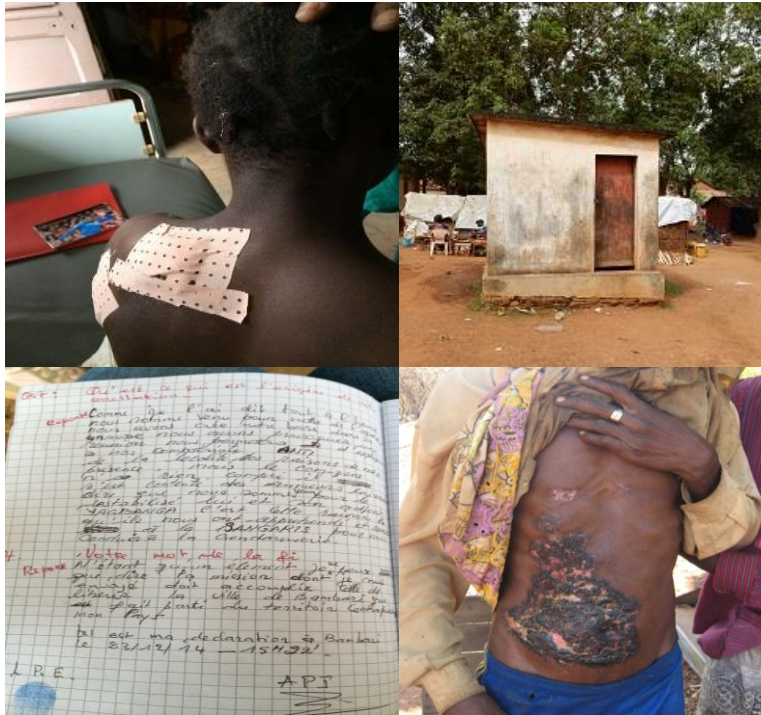


Report on the situation of human rights in the Central African Republic

15 September 2014 - 31 May 2015



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¹ Left top photo: victim of the November 2014 attack in Pende locality, Ouaka prefecture; right top photo: place of detention in Bambari, Ouaka prefecture; bottom left photo: court file of a public hearing in Batobadja, Ouaka prefecture; bottom right photo: victim of witchcraft ritual in Baoro, Nana Mambere prefecture.

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List of Acronyms

CAR	Central African Republic
CoI	Commission of Inquiry on the Central African Republic
FDPC	Front démocratique du peuple centrafricain
FPRC	Front populaire pour la renaissance de la Centrafrique
HRC	United Nations Human Rights Council
HRD	Human Rights Division
HRO	Human Rights Officer
ICC	International Criminal Court
IE	Independent Expert on the situation of human rights in the Central African Republic
IDP	Internally Displaced Persons
LRA	Lord's Resistance Army
MINUSCA	Multidimensional Integrated Stabilization Mission in the Central African Republic
MISCA	International Mission to Support the Central African Republic
OHCHR	Office of the United Nations High Commissioner for Human Rights
PoC	Protection of civilians
PCUD	Parti centrafricain pour l'unité et le développement
RPRC	Rassemblement populaire pour le renouveau de la Centrafrique
RJ	Révolution et Justice
SC	United Nations Security Council
SCC	Special Criminal Court
SG	United Nations Secretary-General
UNPOL	United Nations Police
UPC	Unité pour la paix en Centrafrique
XAF	Central African CFA franc

Summary

This first human rights report by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA)/Human Rights Division (MINUSCA/HRD) is jointly published with the Office of the High Commissioner for Human Rights (OHCHR). It presents the human rights situation for the period of 15 September 2014, which corresponds with the transfer of authority between the African Union–led International Mission to Support the Central African Republic (MISCA) and MINUSCA until May 2015.

The security and human rights situation in the Central African Republic (CAR) have generally improved since the deployment of MINUSCA. However, while the scale and severity of the conflict have declined, serious violations of international human rights and international humanitarian law continued to be committed throughout the country by non-state armed groups, including anti-Balaka and ex-Séléka and, to a lesser extent, by State actors. During the period under review, the Human Rights Division of MINUSCA documented 775 cases of human rights violations affecting at least 785 victims, including 88 women as well as 43 children, 18 boys and 25 girls.

Civilians remain the main victims of human rights violations and abuses committed by armed groups, including killings, hostage-taking, torture and other cruel, inhuman or degrading treatment or punishment, sexual and gender-based violence, or restrictions of freedom of movement.

Internally displaced persons (IDPs) are most affected by such violence, particularly the elderly (especially women) and children (primarily girls). A considerable part of the IDP population remains trapped in several enclaves throughout the country. They are exposed to a dire humanitarian situation and many continue to fear for their life because of ongoing violence and threats from armed elements. Both the Government and armed groups have hindered their freedom of movement, actively preventing them from leaving certain enclaves, including joining their families elsewhere.

The protection of civilians remains hampered by the very limited presence of State institutions, particularly outside of Bangui, including the slow progress in the reconstitution of legitimate security forces, their limited presence and capacities throughout the country, and the control of certain areas of the country by armed groups. The administration of justice is still largely dysfunctional despite increased support and capacity-building by MINUSCA and other actors in view to reopen courts and detention facilities.

The reporting period was marked by commendable efforts by the Transitional Government, with the support of the international community, to implement the Brazzaville peace agreement². The

² From 21 to 23 July 2014, the Head of State of the Transition and a number of transitional authority representatives, senior representatives of the Economic Community of Central African States (ECCAS), international partners including the African Union, the United Nations and the European Union, as well as representatives of armed groups operating in CAR, including the ex-Séléka and anti-Balaka, civil society, political parties and religious groups met in Brazzaville under the leadership of the Mediator, President Denis Sassou Nguesso. Following intensive consultations before and during the Brazzaville meeting, a cessation of hostilities agreement was signed by the Central African representatives on 23 July. The agreement commits the signatories to an immediate cessation of

Transitional Government led preparations, national consultations and sensitisation activities for the successful Bangui Forum, held from 4 to 11 May 2015. They also took a decisive step to ensure accountability for human rights violations and abuses by adopting the law creating a Special Criminal Court (SCC) on 3 June.

I. *Introduction*

1. This report is published pursuant to Security Council resolutions 2149 (10 April 2014) and 2217 (28 April 2015), which mandates the mission, through its Human Rights Division (HRD), to monitor, investigate and report publicly on the promotion and protection of human rights in CAR. The resolutions call for public reports: '[...] on violations of international humanitarian law and on abuses and violations of human rights committed throughout the CAR, in particular by different armed groups, including the former Seleka and the anti-Balaka [...]’.
2. This first joint public report of MINUSCA and OHCHR provides an overview of some of the main human rights concerns in CAR since the transfer of authority from MISCA to MINUSCA on 15 September 2014, until 31 May 2015³, based on human rights monitoring conducted by HRD throughout the country and cases documented.
3. It identifies challenges faced by the Transitional Government and describes steps taken by the authorities and the international community to address some of the main human rights violations. The report addresses recommendations to the authorities and the international community. It does not provide a comprehensive analysis of a range of human rights violations and abuses covered by other reports, and those subject to future reports.⁴
4. In February 2014, OHCHR released a report on the human rights situation in CAR (A/HRC/25/43), following a request by the United Nations Human Rights Council (HRC).⁵ In this report, the High Commissioner identified the prevailing lack of security, the persistent culture of impunity, the non-functioning judicial and prison systems, the interreligious tension and violence, and discrimination on ethnic, racial or nationality grounds as major challenges to the respect and promotion of human rights.
5. The International Commission of Inquiry (CoI) on CAR mandated by Security Council resolution 2127 (2013) submitted its final report to the Council on 19 December 2014.⁶ It established that all the parties to the conflict had been involved in serious violations of international humanitarian law and gross abuses of human rights, including rape and

hostilities and establishes a follow-up monitoring mechanism made up of representatives of political and armed groups, the transitional authorities and members of the international community.

³ The recent sectarian violence which erupted in Bangui on 26 September 2015 will be covered by a special report.

⁴ For a detailed update on children in armed conflict, see the Reports of the Secretary-General on the situation in the Central African Republic S/2014/857 (28 November 2014); S/2015/227 (1 April 2015) and S/2015/576 (29 July 2015), as well as the Report of the Secretary-General on conflict related sexual violence S/2015/203 (23 March 2015).

⁵ http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/25/43.

⁶ See (S/2014/928). The CoI was mandated to investigate international human rights and humanitarian laws violation and abuses in CAR by all the parties involved in the armed conflict since 1 January 2013.

other gender-based violations. The Commission characterized many of these violations as amounting to crimes, under both domestic law and the Rome Statute of the International Criminal Court (ICC) but found that ‘[...] the threshold requirement to prove the existence of the necessary element of genocidal intent had not been established in relation to any of the actors’. At the time its report was published, the Commission underlined that instability prevailed in many parts of the country and that serious violations of international human rights and humanitarian law continued to be committed with impunity. The Commission highlighted the importance of fighting impunity and bringing perpetrators of serious violations and abuses of human rights law and serious violations of international humanitarian law to justice.

II. *Methodology*

6. The information presented in this report was collected by HRD field offices during site visits, through interviews with victims and witnesses, as well as with alleged perpetrators. HRD also examined documents and photographs provided by interviewees. HRD advocated consistently with the authorities and armed group representatives to put an end to and address serious abuses and violations of international human rights law and humanitarian law.
7. In investigating and analyzing each incident, the HRD exercised due diligence to corroborate and cross-check information from as wide a range of sources as possible. In all cases, information obtained from interviewees was corroborated by information from at least another independent source. Information extracted from public reports is clearly cited as such, and information that HRD has been unable to corroborate is presented as allegations or reported information.
8. The report describes human rights violations and abuses predominantly committed by non-state armed groups, including the anti-Balaka and ex-Séléka and, to a lesser degree, by State actors. Given the number of violations and abuses committed during the reporting period, and the fact that HRD was still being established throughout that period, the report seeks to identify patterns and trends of the most serious violations and abuses documented, as illustrated by some emblematic cases. The statistics presented in this report do not purport to reflect the totality of violations and abuses committed during the reporting period. The total number of cases reported by HRD may be lower than those presented by other sources due to different methodologies used to document and corroborate information. The statistics⁷ produced by HRD only include those cases which it has been able to corroborate according to principles, policies, practices and methodologies of collection used by OHCHR as standards of collection and corroboration of information on human rights violations and abuses.

⁷ The difference in numbers of cases and victims may be explained by the fact that one victim might have been exposed to more than one human rights violations at the same time. Additionally, HRD has only reflected confirmed gender disaggregated numbers. However, the overall numbers do include all recorded victims as in some instances HRD was unable to disaggregate the information available on victims.

III. *Applicable legal framework*

9. CAR has ratified a wide range of international instruments outlining its human rights and humanitarian law obligations during time of peace and armed conflict. These international conventions and treaties are directly applicable according to CAR's monist legal regime.⁸ CAR has ratified five out of ten core international human rights treaties: The International Covenant on Economic, Social and Cultural Rights (ICESCR- acceded on 8 May 1981); the International Covenant on Civil and Political Rights and its first Optional Protocol (ICCPR- acceded on 8 May 1981); the International Convention of the Elimination of All Forms of Racial Discrimination (ICERD- ratified on 16 March 1971); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW- acceded on 21 June 1991); the Convention of the Rights of the Child (CRC - ratified on 23 April 1992).⁹
10. CAR has also ratified the Convention related to the Status of Refugees (24 September 1962) and is also a party to the Rome Statute of the International Criminal Court (ratified on 3 October 2001).¹⁰
11. At the regional level, CAR is a State party to the African Charter on Human and Peoples' Rights (ratified on 26 April 1986), the Convention Governing the Specific Aspects of Refugee Problems in Africa (ratified on 23 July 1970) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (ratified on 20 December 2010).
12. With regard to international humanitarian law, CAR is a party to the four Geneva Conventions of 12 August 1949 (ratified on 1 August 1966) and their Additional Protocols I and II of 1977 (ratified on 17 July 1984).
13. The nature and intensity of the armed violence, its protracted nature, and the level of organization of the ex-Séléka and anti-Balaka as armed groups, attest to the existence of a non-international armed conflict in CAR during the period under review.¹¹ As such all parties to the armed conflict are bound by the relevant rules of treaty and customary law applicable to non-international armed conflict, in particular Article 3 common to the four Geneva Conventions of 1949.¹²

⁸ See Article 97 of the Transitional Constitution (law 13.001 18 July 2013).

⁹ CAR is not a party to any of the Optional Protocols related to the treaties it has ratified, apart from the OP on the Rights of the Child on the sale of children, child prostitution and child pornography (on 24 October 2012);

¹⁰ On 30 May 2014, the Government of CAR referred the situation regarding crimes allegedly committed on CAR territory since 1 August 2012 to the ICC.

¹¹ See also para. 39 of the report of the International Commission of Inquiry on CAR, S/2014/928, dated of 22 December 2014, which states that "the Commission has concluded that there was a non-international armed conflict taking place on the territory of the CAR from before 1 January 2013 and up until late March 2013, and again after 4 December 2013 until the present time".

¹² For this report, armed groups concerned are also the signatories of the '*Accord sur les principes de désarmement, démobilisation, réintégration et rapatriement (DDRR) et d'intégration dans les corps en uniforme de l'état centrafricain ente le gouvernement de transition et les groupes armés*' of 10 May 2015. The signatories are: Front populaire pour la renaissance de la Centrafrique (FPRC); Rassemblement patriotique pour le renouveau de la Centrafrique (RPRC); Union des forces républicaines fondamentales (UFRF); Séléka rénové; Mouvement des libérateurs centrafricains pour la justice (MLCJ); Coordination des ex-combattants anti-Balaka; Unité du peuple

14. With regard to non-state actors, that exercise government-like functions and control over territory, it is worth recalling that they are obliged to respect human rights norms when their conduct affects the human rights of individuals under their control. This is especially pertinent in several locations outside Bangui where armed groups are the *de facto* authorities. In the Eastern part of CAR¹³, several ex-Séléka splinter groups administer state-like control over the territory and have actively prevented the transitional State authorities from re-establishing its presence in the area. In the Western part of CAR¹⁴ anti-Balaka groups also act as *de facto* authorities in a number of areas under their control, actively hampering the restoration of state authorities or directly instructing the few State officials present. Anti-Balaka and ex-Séléka armed groups administer security functions, including depriving persons of their liberty and imposing illegal fines, for example in exchange of the release of those they have arrested.

IV. *Political and security context*

15. The cycle of violence between the anti-Balaka and the ex-Séléka continued in Bangui and other parts of the country during the reporting period. Before that, during much of 2013 many in CAR had suffered from violence and serious human rights violations committed by ex-Séléka forces. However, by the end of 2013, following the retreat of the ex-Séléka from Bangui to the northern and eastern areas, anti-Balaka groups represented the main threat to civilians who faced a wave of revenge and reprisal attacks.

16. The attacks by anti-Balaka elements against ex-Séléka forces on 5 December 2013, in Bangui and Bossangoa presaged a significant deterioration in the security situation, sparking a cycle of reprisals among civilians and clashes between anti-Balaka and ex-Séléka forces throughout the country. Civilians were targeted by all armed groups and by other civilians on the basis of their religious affiliation. Civilians were increasingly involved in violence, including killing and looting. Deliberate and targeted violence by the anti-Balaka led to the displacement of thousands of Muslims. The anti-Balaka groups, which included local defence groups, rogue elements of the armed forces of CAR, and criminal elements, launched targeted attacks to prevent Muslims from moving out of the neighbourhoods where they had regrouped. The situation outside Bangui was marked by the near-total absence of State administration and services as most areas remained under the control of armed anti-Balaka and ex-Séléka groups.¹⁵

17. In early January 2014, the then Head of State of the Transition, Michel Djotodia, resigned, and on 23 January 2014, a new Transitional Government, under the leadership of the new Head of State of the Transition, Catherine Samba-Panza, was sworn in. The

centrafricain (UPC); Révolution et justice (RJ), and Union des forces républicaines. In respect to other non-state actors, in some cases, HRD has also confirmed that members of the Fulani community act together or with the support of some local ex-Séléka armed groups, including carrying out joint attacks on civilians, sharing uniforms and weapons.

¹³ Predominantly in areas covering Mbomou, Base-Kotto, Haute-Kotto, Bamingui-Bangoran, Ouaka and Nana Grebizi prefectures.

¹⁴ Predominantly in areas covering Mambere-Kadei, Nan-Mambere and Ouham-Pende prefecture.

¹⁵ For a more comprehensive overview on the situation between December 2012 and September 2014, see the report of the High Commissioner for Human Rights (A/HRC/25/43) and the final report of the Commission of Inquiry (S/2014/928).

resignation of Djotodia prompted most of the 7,000 ex-Séléka elements to leave the sites where they had been regrouped in Bangui in December 2013. While the Transitional Government took steps to implement the peace process, a high level of violence persisted and killings continued. This prompted the Security Council, on 10 April 2014, to authorize the establishment of MINUSCA, whose core mandate is to protect civilians, promote and protect human rights, support the political process and work to uphold the rule of law.

18. The transfer of authority from the African Union-led International Support Mission to the Central African Republic (MISCA) to MINUSCA took place on 15 September 2014. On 27 September 2014, in her address to the United Nations General Assembly, the Head of State of the Transition, Ms. Samba-Panza, reaffirmed her commitment to combating impunity for serious human rights violations. The volatile security situation, which impeded the peace process, ultimately led to the transitional period being extended to 31 March 2016.
19. Local consultations held with the population in Bangui and all the regions of CAR, from January until March 2015, highlighted serious human rights concerns, and the dire need to improve the justice system. The subsequent national dialogue forum, the Bangui Forum, was held between 4 and 11 May 2015. It resulted in the Transitional Authorities, armed groups, religious groups and civil society adopting a « *Pacte républicain pour la paix, la réconciliation nationale et la reconstruction en République centrafricaine* ». Participants pledged to hold the constitutional referendum and elections, and to strengthen the ongoing redeployment of public administration outside of Bangui, with the aim of extending State authority and supporting decentralization. With respect to transitional justice, participants in the Forum committed to establishing a Special Criminal Court, a Truth and Reconciliation Commission, and a National Human Rights Commission.¹⁶
20. While the general security environment has improved since the establishment of MINUSCA, a number of significant and serious challenges and threats to civilians persist, including the presence of armed groups, a high level of criminal activity, and the absence of effective State authority outside of Bangui. Armed groups continue to provoke and mount attacks, which result in human rights violations and abuses. In some regions, a security vacuum due to the absence of State authority has facilitated the perpetuation of abuses by armed elements such as abductions, extortion and violent competition for illegal exploitation and control over natural resources.
21. While anti-Balaka armed groups continued to dominate the west of the country, ex-Séléka armed groups controlled areas in the north and the east, with the centre of the country witnessing regular clashes between ex-Séléka and anti-Balaka groups. CAR also suffered from the activities of elements of smaller armed groups, such as the Lord's Resistance Army (LRA) in the east, or *Révolution et Justice* (RJ) and the *Front démocratique du peuple centrafricain* (FDPC) in the west. All armed groups generally operate in a climate of near-total impunity and often steal resources from the population through illegal tax collection or illegal mining activities.

¹⁶ Compliant with the Paris Principles. See GA resolution 48/134 of 4 March 1994.

V. *General trends and developments affecting the human rights situation*

22. During the reporting period, HRD documented a large number of serious violations and abuses of international human rights and humanitarian law, including cases of extrajudicial executions and other killings, cruel, inhuman or degrading treatment or punishment, abductions and hostage taking, looting and destruction and appropriation of property.
23. These violations are mainly the result of armed groups' ability to operate freely throughout parts of the country and of the proliferation of small arms easily available in Bangui and elsewhere in the country. Perpetrators are mainly anti-Balaka and ex-Séléka who generally attack individuals or groups due to their perceived collaboration or affiliation with the rival armed group. The limited presence of State institutions outside of Bangui leaves space for armed groups to perpetrate violations and abused with full impunity.
24. During the reporting period, HRD documented 775¹⁷ cases of human rights violations and abuses affecting 785 victims, predominantly committed by anti-Balaka and ex-Séléka. HRD documented 200 cases of violence targeting civilians that led to 238 killed (including 34 women and 13 children: five girls and eight boys). With respect to cruel, inhuman or degrading treatment or punishment HRD documented 433 cases affecting 416 victims (including 26 women and 14 children: eight girls and six boys). Concerning sexual and gender-based violence, HRD documented 15 cases affecting 11 female victims, including nine girls.¹⁸ Furthermore, HRD documented 73 cases of abductions and hostage taking (including 19 women and four children: one girl and three boys). It also registered 40 cases of arbitrary arrests and unlawful deprivation of liberty, affecting 35 victims (including three women and three children: two girls and one boy), mainly committed by armed groups and, in fewer cases, by State authorities.
25. The majority of cases documented by HRD resulted from the ongoing armed confrontations between the anti-Balaka and ex-Séléka armed groups, which directly affected civilians. The conflict aggravated inter-communal violence, in particular during the seasonal migration,¹⁹ when Fulani herders - in some cases associated with ex-Séléka - start their journey across the country, causing tensions with sedentary, agriculturalist communities. HRD documented cases of members of local communities receiving weapons or uniforms from anti-Balaka or ex-Séléka, and sometimes acting in support of armed groups during attacks.
26. Serious armed clashes took place in Bangui between 7 and 16 October 2014, largely driven by anti-Balaka forces. The clashes started on 7 October, with the killing of a man in an act of mob justice. The man, who was believed to have been a member of the ex-

¹⁷ The data used by HRD was collected between 15 September 2014 and 31 May 2015.

¹⁸ The number of cases confirmed by HRD regarding sexual and gender-based violence is lower than reports by other organizations due to the different verification standards used by HRD. (see methodology II)

¹⁹ During the traditional migration seasons, the pattern is to move towards the northern part of the country between April and October to avoid rainy season and related illnesses. During the dry season, from September to March, the traditional migration moves to the southern part of CAR to secure water sources and grazing land for the stock.

Séléka, had thrown a hand grenade into a market area. The incident escalated into a series of reprisal attacks in which 11 civilians died and 229 - from both Christian and Muslim communities - were injured. As a result, approximately 6,500 civilians were displaced in the greater Bangui area, and at least 30 houses and an unconfirmed number of shops were looted and burnt down. Approximately 1,600 persons subsequently took refuge into the Democratic Republic of the Congo.

27. Additionally, armed anti-Balaka erected several illegal roadblocks, restricting freedom of movement and exacerbating the climate of fear in Bangui²⁰. In some instances civilians were used by anti-Balaka as human shields at roadblocks. During this period, the majority of the population remained at home for fear of continued violence, and economic activity was markedly limited. Cases of attacks on humanitarian workers and lootings of humanitarian assistance assets were also reported during this period. Anti-Balaka and ex-Séléka armed elements attacked MINUSCA police and peacekeeping forces who had been dispatched to stabilize the situation. On 9 October 2014, a peacekeeper was killed and seven were injured in the ambush of a MINUSCA convoy in the PK11 area of Bangui, in which six MINUSCA and other United Nations vehicles were shot at by armed men presumed to be anti-Balaka.
28. Local and international humanitarian workers continued to face serious threats by armed groups and other armed elements. HRD recorded several cases of abduction of humanitarian workers, threats to life and physical integrity, as well as looting of humanitarian equipment. Between 8 and 10 October 2014, due to the intense security situation, humanitarian access was critically hampered by armed groups in Bangui, making it impossible for humanitarian workers to reach the displaced population.
29. Between October and December 2014, HRD documented the killing of at least 36 civilians, including eight women and five children, in the course of several armed attacks between anti-Balaka and ex-Séléka, in western Kouango sub-prefecture. The violence reached its peak on 21 November 2014, with anti-Balaka attacks on four villages in the Gbima *groupement*. Witnesses and victims interviewed by HRD described a 'kill-loot-burn' dynamic used by the anti-Balaka. Perpetrators entered villages and killed civilians, then looted and burned houses before leaving the localities. Interviewees claimed that they were attacked by anti-Balaka because they had refused to join their movement.
30. Outside of Bangui, HRD documented cases of intimidation and threats to medical personnel by local armed groups, including at Bria hospital, in the prefecture of Haute Kotto. In several instances, armed elements forced hospital staff to provide them with medication and treatment. Cases documented included members of armed groups entering a hospital with firearms and machetes, brandishing their weapons at staff and patients, creating a climate of fear, impeding the provision of care to patients, thereby violating the protections accorded to all health facilities and medical personnel under international humanitarian law.

²⁰ Road blocks were erected in arrondissements 3 (PK5 – Boeing); 4 (Gobongo-Fouh-Boy-Rabe); 6 arrondissement (Guitangola source); 8; and PK9 (Bimbo locality).

A. Violations committed by anti-Balaka

31. The anti-Balaka armed groups controlled much of the western part of the CAR, where they acted as *de facto* authorities and exercised some government-like functions, with a strong presence in Bangui.
32. During the reporting period, HRD documented 124 cases of serious human rights law and humanitarian law violations and abuses attributable to the anti-Balaka and affecting 209 victims, including 46 women and ten children, five girls and five boys. The reporting period was marked by local anti-Balaka leaders frequently aiming at expanding their strongholds over land and natural resources, and continuing to establish parallel administration, sometimes actively preventing the restoration of State authority.
33. In particular, HRD documented 45 cases of violations of the right to life, affecting at least 18 women, two boys and three girls. HRD documented 54 cases of cruel, inhuman or degrading treatment or punishment affecting at least 26 women, 2 boys and one girl. For example, on 20 September 2014, according to witnesses interviewed by HRD, an individual was arrested by an anti-Balaka group in the 4th arrondissement of Bangui, an area under the effective control of the anti-Balaka. He had reportedly attempted but failed to break into a shop the previous night. Following his arrest, his hands were chained together behind his back by anti-Balaka elements who severely beat him. He was paraded around the neighbourhood and pressured to identify accomplices. The man was then mutilated and shot to death by anti-Balaka elements in front of his family.
34. In another case, reported by the *Office central de répression du banditisme*, which is a specialized office of the police, the presumed perpetrator of a misdemeanour was apprehended by local anti-Balaka, mutilated and killed, and his body was burned on 1 October 2014. On 10 and 17 October, in the Yakité locality of Bangui, four civilians were reportedly shot dead by anti-Balaka elements who accused them of spying and supporting ex-Séléka.
35. On 26 September 2014, according to reports received by HRD, two civilians, including an Imam, were attacked and seriously beaten by a group of anti-Balaka in Berbériati, Mambere Kadei prefecture. One of the victims sustained serious back injuries, and the assailants stole 6,000 XAF and other valuable items from the victim. On 26 October, at Djambala locality, Nana Mambere prefecture, a person sustained serious injuries while trying to defend two houses - reportedly belonging to members of the Muslim community - from attempted looting and destruction by armed anti-Balaka. In Ouaka prefecture, on 22 November, HRD documented the killing of six men, two women and six children at Gbima locality, allegedly by anti-Balaka forces.
36. HRD also documented 17 cases of abduction and hostage-taking by anti-Balaka elements, affecting 17 victims, including 14 women, three boys and one girl. Abductions and hostage-taking is generally used to extort money from relatives, but the armed groups also resort to this to press authorities into releasing prisoners from their respective groups. More broadly, it is used as a means of intimidation that creates an atmosphere of insecurity, allowing the armed groups to impose their authority on the local population.

B. Violations committed by ex-Séléka

37. Ex-Séléka groups exercised *de facto* control over much of the north-eastern part of the country, including some government-like functions. During the reporting period, HRD documented 75 cases of violations and abuses of international human rights and humanitarian law committed by ex-Séléka, affecting at least nine women and six girls (as described further).
38. Internal leadership struggles and the lack of command and control authority within ex-Séléka factions led to clashes among them, thus increasing insecurity and abuses. For example, in Bria, the security situation considerably deteriorated in October 2014 following increased tensions between different ex-Séléka factions. In January 2015, Bria fell under the control of the *Front populaire pour la renaissance de Centrafrique* (FPRC)²¹ ex-Séléka, who dismissed local authorities and opposed the holding of local consultations in areas under their control. On 10 February, MINUSCA and Sangaris forces launched an operation which led to the expulsion of armed FPRC ex-Séléka elements from all administrative buildings in Bria.
39. In respect to human rights abuses attributable to ex-Séléka elements, including affiliated groups, HRD documented 29 cases²² of civilians killed, including four women and one girl. According to information available to HRD, on 26 November 2014, an ex-Séléka killed the deputy brigade commander of the gendarmerie in Zinga commune, Lobaye prefecture. On 5 and 6 January 2015, elements of *Unité pour la paix en Centrafrique* (UPC) ex-Séléka shot and killed seven civilians, including a six-month-old baby and a 13-year-old child, in the vicinity of Ngakobo village, according to witness statements taken by HRD. On 27 January, 11 civilians were killed by FPRC ex-Séléka in Botto locality, Kaga-Bandoro, Nana Grebizi prefecture. This attack followed increased tensions between local communities and Fulani herders passing through Botto with their cattle. Fulani herders accused the local population of attacking them.
40. HRD documented 23 cases of severe cruel, inhuman or degrading treatment or punishment (ill-treatment) committed by ex-Séléka, including on four women, two boys and one girl. For example on 14 February, four civilians were assaulted and seriously injured by the ex-Séléka, in PK5 in Bangui. This was reportedly a revenge attack for the killing of a young Muslim man by anti-Balaka.
41. The ex-Séléka often accused victims of being spies for anti-Balaka or the international forces. For example, on 11 March 2015, two men were accused by the ex-Séléka of being affiliated with the anti-Balaka and were deprived of their liberty and subjected to cruel and inhuman treatment by UPC ex-Séléka, according to interviews conducted by HRD with both victims. They were kept naked during the entire time of their detention, with their arms tied tightly above the elbows, behind their back. They were subjected to lashing with a cow tail, forced to drink high quantities of water at least twice a day, and hot crushed chilli was thrown into the small room where they were held, causing painful

²¹ FPRC is affiliated with Michel Djotodia.

²² These do not include the cases attributed to armed Fulani elements affiliated with different ex-Séléka splinter groups, which is mentioned in paragraph 39.

irritation of the skin and leading to painful coughing attacks. HRD also observed cigarette burn marks on their bodies. The victims were released on 20 March.

42. HRD also documented cases of armed Fulani groups committing severe abuses, with the knowledge or support of local ex-Séléka, predominantly targeting civilians as well as individuals believed to be affiliated with the anti-Balaka. During the reporting period, HRD documented 21 cases of killings by armed Fulani groups associated with ex-Séléka from FPRC and UPC, including of at least ten women and one boy. HRD also recorded 11 cases of ill-treatment, affecting at least three women, two boys and one girl. During an attack by an armed Fulani group associated with ex-Séléka in the second week of October 2014, at Batobadja locality, Ouaka prefecture, the armed group reportedly killed 11 civilians perceived to be associated with anti-Balaka. Between 12 and 14 November, at Pende locality, Ouaka prefecture, an unconfirmed number of armed Fulani attacked the locality, reportedly killing seven persons, including four children. On 1 December, at Zemio locality, Haute-Mbomou prefecture, armed Fulani reportedly killed three persons in an attack, seriously injured two persons, burnt down 40 houses and looted two shops. On 3 December, armed Fulani affiliated to UPC in Bambari, killed 13 persons and injured at least 33 others in a reported revenge attack related to the death of a Muslim. In the aftermath of the attack, HRD documented the burning and looting of 33 houses in the area.
43. HRD also received numerous reports of hostage-taking affecting approximately 15 women and two boys, attributable to armed elements of ex-Séléka, FDPC, armed Fulani groups, LRA, and unknown armed groups.

C. Violations committed by Government forces

44. As a result of the armed conflict, State authorities, including the security forces, withdrew from most regions and Prefectures of the country. By the end of May 2015, the presence of national security forces remained almost exclusively concentrated in Bangui, with a minimal presence in other parts of the country. This was partly due to the continued strong presence of armed groups outside of Bangui. HRD has documented cases where national security forces were actively hindered by armed groups from reinstating State authority. This situation has been aggravated by the lack of capacity of national security forces.
45. During the reporting period, HRD has recorded one killing, four cases of cruel, inhuman or degrading treatment or punishment (ill-treatment) and one case of arbitrary arrest committed by Government forces. Human rights violations implicating State authorities were primarily reported in Bangui where the security forces are essentially deployed.
46. These cases include unlawful arrests, detention and ill-treatment by the police. On 29 September 2014, a 15-year-old girl who was reportedly accused of theft was arrested and ill-treated, sustaining wounds caused by a razor blade. Moreover, HRD documented a case of cruel, inhuman or degrading treatment or punishment, which occurred on 27 January, at the Bria gendarmerie, where a detainee was forced to crawl until he confessed to the crimes he was accused of. Local authorities within the gendarmerie informed HRD that this was a common practice to obtain confessions. HRD brought the case to the

attention of the local and regional authorities, strongly urging them to stop this practice and to open a disciplinary investigation into the case.

47. During the week of 9 March, in Bangui, after a senior Government official was the victim of a theft reportedly committed by street children (known as “Godobet”), the *Office central de répression du banditisme* conducted an operation against the suspected children, leading to the arrest and beating of 21 children. All were released after two days and handed over to a local NGO.
48. On 18 March, following his arrest for theft and murder, a detainee disappeared after being removed from his cell, raising suspicion of a possible extrajudicial killing. HRD has been informed on several occasions when following up the case during the month of March and April, that the *Service de recherche et d’intervention* (SRI) of the Gendarmerie had opened an investigation into the case. MINUSCA was further informed by the Minister of Public Security in April that an investigation was ongoing and that disciplinary measures would be taken, if warranted, following the conclusion of the investigation. However, at the time of reporting, HRD was not informed of any progress regarding this investigation, including eventual disciplinary or judicial measures.

D. Violations by international forces

49. During the reporting period, HRD collected preliminary information on, and followed up allegations of violations of human rights and international humanitarian law allegedly committed by international forces²³ prior to the reporting period,²⁴ including allegations of sexual exploitation and abuse, extrajudicial killings, torture, and enforced disappearances. MINUSCA worked very closely with local and international partners to ensure that all reported cases received the most effective and efficient response and identified NGOs and other structures that could provide support to potential victims of abuses.
50. Work continued to address violations allegedly committed before the reporting period by Sangaris French Forces and MISCA troops. With regard to the alleged violations committed by the Sangaris French Forces, a judicial inquiry has been opened and active cooperation is extended by the High Commissioner and the United Nations to support their efforts to further accountability. In September-October 2014 and in March-April 2015, HRD carried out two investigations into one incident allegedly committed by MISCA troops from the Republic of Congo. On 2 May 2015, the Deputy Special Representative of the Secretary-General in CAR asked the representative of the African Union for information on the African Union’s own investigation into this incident and any subsequent action taken. A copy of the African Union report has yet to be received.

²³ See para. 540 to 574 of the report of the International Commission of Inquiry on CAR, S/2014/928, dated of 22 December 2014 and in particular paragraphs 567 to 569 on the applicable law to the international forces.

²⁴ See para. 40 of the report of the International Commission of Inquiry on CAR, S/2014/928, dated of 22 December 2014, which states that “The Commission also concludes that a separate non-international armed conflict also existed for most if not all of the relevant time between the armed groups operating in the country and the French forces making up Operation Sangaris, who arrived in December 2013”.

51. In 2015, information emerged of other alleged violations committed before the reporting period by international forces. In follow-up of these allegations, the United Nations High Commissioner for Human Rights met the Permanent Representatives to the United Nations in Geneva of Burundi, Chad, the Republic of the Congo, France, Morocco and Rwanda.²⁵ The High Commissioner urged the authorities of these countries, including the Transitional Government of CAR, as well as the African Union, to ensure that impartial and transparent investigations into these allegations be launched and conducted without further delay to send a strong message on accountability, human rights and rule of law.²⁶
52. The Secretary-General established an External Independent Review panel to review the United Nations response to the allegations of sexual exploitation and abuse and other serious crimes by members of foreign military forces not under United Nations Command in the Central African Republic.²⁷

VI. *Situation of internally displaced persons*

53. Throughout the country, the ongoing violence and fear of forced recruitment by armed groups have been causing displacement. The continued unstable and volatile security situation has not allowed some IDP groups to return to their communities of origin. Their vulnerability to the ongoing violence remains a major concern.
54. As of end of May 2015, over 36,000 IDPs were confined in strictly geographically limited enclaves. The seven most affected enclaves are located in: Yaloke, Carnot and Berberati, all in Nana Mambere prefecture; Bouar and its Haoussa neighbourhood, Lobaye prefecture; Boda village and Dekoa village, both in Kemo Gribingui prefecture; and in Bangui PK5 neighbourhood.
55. In this volatile environment caused by inter-ethnic, religious and tribal tensions, IDPs and host communities compete for scarce resources, which aggravate the existing tensions in and around the enclaves. As a result of continuing or increased intimidation, IDPs living in enclaves have been unable to pursue their daily livelihood activities for fear of being attacked. Leaving the enclaves to conduct such activities exposes them to serious threats to their life and well-being.
56. Violent outbreaks between armed groups and the rise in the cost of living have further complicated the lives of the displaced population. The lack of freedom of movement has had serious consequences on their ability to access basic necessities and to work. This has resulted in increased poverty and dependence on humanitarian aid.
57. By the end of May 2015, HRD had recorded 489 Fulani living in the Yaloké enclave. Data gathered since April 2014 indicated that more than 42 of these IDPs had died

²⁵ The High Commissioner met the Permanent Representatives of Burundi and the Republic of the Congo on 28 May and 28 July 2015, Chad on 4 April and 5 August 2014, France on 28 August 2015, Morocco on 28 May 2015, and Rwanda on 28 May 2015.

²⁶ See: Press briefing notes on justice for rights abuses in Nigeria, Central African Republic and Bahrain, (5 June 2015), Office of the United Nations High Commissioner for Human Rights.

²⁷ See <http://www.un.org/press/en/2015/sgsm16864.doc.htm>.

between April 2014 and May 2015,²⁸ mostly due to severe malnutrition. The majority of the IDPs expressed their desire to join family members who were in Cameroon. Several attempts by MINUSCA to negotiate their transfer towards the Cameroonian border failed, with the Transitional Government refusing to let the IDPs leave the enclave, expressing concern over encouraging the departure of the Muslim community from CAR. On 20 May, following intense and prolonged intervention by MINUSCA and humanitarian partners, the Prime Minister announced, during a visit to Yaloke, that all Central Africans, including IDPs, were free to move as they wished. Subsequently, HRD reported the departure of 21 households (70 persons, including 18 women and 22 children), who were escorted to the Cameroonian border and joined the Garoua-Boulai refugee camp.

58. At the beginning of 2013, in Bouar, Nana Mambere prefecture, the Hausa neighbourhood still hosted approximately 1,600 Muslim displaced persons, who had fled anti-Balaka attacks. The enclave initially hosted 4,000 persons but the number of IDPs significantly decreased during the reporting period as a majority voluntarily returned to their places of origin, across CAR, feeling sufficiently safe to return. For those remaining, freedom of movement continued to be curtailed and they remained exposed to attacks by anti-Balaka forces whenever they attempted to leave the enclave. In addition, anti-Balaka force IDPs to pay them when they try to get in and out of the enclave.
59. In Boda locality, Lobaye prefecture, some 9,000 members of the Muslim community remained confined within and in the surrounding areas of the mosque. They were unable to move freely and to sustain their day to day activities, due to the threatening anti-Balaka presence around the site. Similarly, several Christian families have remained trapped at the local church, fearing for their safety. Further west, some 584 members of the Muslim community in Mambere-Kadei prefecture, at Carnot, and 370 in Berberati locality, have been compelled to remain at their place of refuge, including the church in Berberati, due to the presence of anti-Balaka forces in the areas.
60. Elsewhere, in Dékoa locality, Kemo, Gribingui prefecture, some 70 persons belonging to the Muslim community have remained trapped, under constant threat of attack from anti-Balaka forces, prevented from conducting any agricultural or commercial activities.

VII. Human Rights violations and abuses committed against persons accused of practicing witchcraft

61. Criminalization of witchcraft in the Central African Criminal Code perpetuates and legitimizes the widespread targeting of alleged witches. Already in his report from May 2010, the Special Rapporteur on extrajudicial, summary and arbitrary executions recommended the revision of this provision as it reinforced social stigmatization and lent itself to the persecution of women and children.²⁹
62. HRD recorded 32 cases of torture or inhuman and degrading treatment against persons accused of practising witchcraft. This affected 85 victims, including at least 30 women,

²⁸ See: UNHCR news story 'UNHCR seeks rescue of ethnic group from Central African Republic town (23 December 2014) <http://www.unhcr.org/54994ac59.html> (last visited June 2015).

²⁹ See A/HRC/14/24/add.5 of 19 May 2010, para. 33 to 37.

one boy and five girls, and resulted in 12 deaths and severe injuries. The majority of victims were elderly, widows, persons with disabilities or persons who do not have strong support in the local communities.

63. In the majority of cases, these abuses were committed by persons affiliated with the anti-Balaka. Anti-Balaka elements systematically extorted large amounts of money from the victims in exchange for their release. In Bouar, Nana Mambere prefecture, HRD observed that local anti-Balaka elements closely collaborated with local traditional priests when accusing civilians of witchcraft.
64. In the overwhelming majority of cases, there was no accountability for the perpetrators of these crimes and no justice for the victims. In some places where there is some presence of State authorities, no investigations were launched by the authorities who allegedly fear of attacks by anti-Balaka. Additionally, victims were reluctant to file complaints, fearing reprisals by anti-Balaka, stigmatization and/or being cast out by their communities.
65. HRD documented two cases of severe cruel, inhuman or degrading treatment or punishment in Elevage and Koyale locality, Bozoum village, Ouham Pende prefecture, during the last week of September 2014. According to interviews conducted by HRD, one victim had a tendon cut in one of his feet and another had an ear cut off by anti-Balaka who accused them of witchcraft. In addition, at different locations in Nana Mambere prefecture, HRD recorded several cases of severe cruel, inhuman or degrading treatment or punishment of people accused of witchcraft. Between 28 and 30 December 2014, at Baoro district, in Nana Mambere prefecture, 14 persons were held by the anti-Balaka armed group on suspicion of witchcraft. Some of the victims had their arms tightly bound behind their back, with guns pointed at them, and were suspended over burning fire pits. Eight of the victims confessed to witchcraft and were released by their assailants, forced to pay amounts ranging from 50.000 to 150.000 XAF. On 12 January 2015, HRD recorded a case in Sanda village, Nana Mambere prefecture, where nine persons accused of witchcraft by the local anti-Balaka elements were forced to confess to practising witchcraft in a de facto judicial proceeding led by anti-Balaka. Two victims had their ears cut off and four were suspended over a fire pit. Two of the victims sustained serious burns.
66. Throughout the reporting period, HRD regularly monitored and followed up on reported cases with the police and judicial authorities. HRD also held meetings with local and national judicial authorities in Bangui and Bouar to address such concerns. In the vast majority of cases, and despite information provided by HRD, State authorities failed to take action to investigate the cases and bring the perpetrators to justice.
67. HRD has also been advocating with State authorities regarding their obligation to protect vulnerable individuals from accusations of witchcraft and from related abuses committed by armed elements. The authorities' failure to act and protect these individuals is in violation of their duty to investigate and prosecute perpetrators of crime and contributes to a climate of impunity.

VIII. Fight against impunity and restoration of State authority

68. Rule of law institutions and their effective functioning remain seriously hampered by the climate of impunity. Judicial authorities have been confronted with a drastic lack of institutional capacity to function effectively, especially to investigate and prosecute suspects of crimes, including those amounting or constituting human rights violations or abuses. In 2014, several courthouses and police stations were looted and vandalized by armed groups associated with anti-Balaka and ex-Séléka. Case files were removed from the premises and/or destroyed and a significant number of them have not been recovered.
69. The limited visibility of judicial institutions outside Bangui has obstructed the ability of victims to bring forward complaints against alleged perpetrators. In some instances, the few existing magistrates outside of Bangui reported that alleged perpetrators were better armed and equipped than the State security forces and expressed fear that their lives would be at risk if they would open cases against alleged perpetrators. In some areas, the lack of State authorities or their failure to act led the local population to hand alleged perpetrators over to the local armed groups, which often resulted in mob justice or lynching.
70. HRD recorded a high number of cases of prolonged pre-trial detention throughout the country, including in detention centres located in Bangui, Bria, Bouar and Kaga Bandoro. The authorities invoke their lack of capacity or absence of judicial authorities to justify these prolonged detentions. On 18 November 2014, at the detention centre of the gendarmerie in Bria, Haute Kotto prefecture, HRD identified that out of 13 persons held in pre-trial detention, five were detained for a few days, way beyond the legal limit of 72 hours³⁰. On 22 December 2014, during a visit at the detention centre in Bouar, Nana Mambere prefecture, HRD identified 12 persons who were detained in pre-trial detention for prolonged periods of time, some of them largely exceeding the legal limit, including for example one detainee who had been held for over 42 days. In Kaga Bandoro, Nana Grebizi prefecture, a similar situation persisted at the local detention centre.

IX Measures taken by the Transitional Government to address human rights violations and abuses

71. The local consultations conducted by the Transitional Government ahead of the Bangui Forum were inclusive, giving citizens the opportunity to express their aspirations for the future of their country. One of the main grievances expressed by the population was regarding the rampant and widespread impunity across the country. Considered as a milestone in the advancement of peace and reconciliation, the Bangui Forum led to strong commitments in this regard, including support for the establishment of a Special Criminal Court, a Truth and Reconciliation Commission and a national human rights commission.
72. During the reporting period, the Transitional Government expressed its commitment to fighting impunity and creating a functioning administration of justice. The Head of the State of the Transition, Ms. Samba Panza, made several statements calling for an end to

³⁰ See: Art 40 of the Code of Criminal Procedure of 6 January 2010.

impunity. During her address to the United Nations General Assembly in 2014, she reaffirmed her support to and cooperation with the International Criminal Court in its investigation in CAR.

73. On 8 January 2015, the President of the Transitional Government issued a decree creating specialized units within the police and gendarmerie to address sexual and gender-based violence. At the time this report was issued, the unit was not operational.
74. In order to hold suspects of various crimes, including human rights violations and abuses, responsible for their actions, MINUSCA has provided support for the creation of a Special Criminal Court. While the law has been adopted, there remains a need to secure resources permitting this court to be established. Meanwhile, certain individuals accused of serious crimes, including Rodrigue Ngaibona (a.k.a. Andilo) and Aubin Yanouhe (a.k.a. Chocolat)³¹, were arrested by MINUSCA forces in line with their mandate to arrest and detain and await trial. Despite the mass escapes from the main prison in Bangui at the end of September 2015, these persons remain in detention at the Camp de Roux annex to Ngaragba Prison of Bangui. If the Special Criminal Court is not operational by the time the deadline for holding them in pre-trial detention has passed, it will be necessary to try them before ordinary courts. From 29 June to 21 July 2015, the Court of Appeal in Bangui organized the first criminal trials since 2011. During these trials, 127 accused were prosecuted, with 94 found guilty, mainly on charges of murder or illegal detention of fire arms, and 15 acquitted (other trials were suspended or judges failed to issue decisions).

X. Measures taken by MINUSCA

75. During the reporting period, HRD, in collaboration with the other components of MINUSCA and State authorities, provided information to police, gendarmerie, the prosecutor, judges and the minister of justice regarding alleged perpetrators of serious human rights violations and abuses. This led to the arrest of 24 individuals, including several high profile individuals.
76. In line with MINUSCA protection of civilians' mandate, HRD contributed to the establishment of coordination mechanisms to ensure human rights protection is taken into account in the implementation of MINUSCA strategy for the protection of civilians. HRD shared information on human rights violations and abuses it had documented with other MINUSCA components and United Nations agencies in order to contribute to the identification of major threats affecting the population and of hotspots, and to the effective functioning of MINUSCA early warning mechanism. Additionally, during the reporting period, HRD organized and conducted 25 joint assessment missions³² to areas where there were serious protection concerns for victims and witnesses of human rights violations and abuses. HRD also focused on 15 individual protection cases, including

³¹ Two senior Anti-Balaka commanders.

³² This included joint assessment missions to: Bouar in Nana Mambere prefecture; to Paoua in Ouham Pende prefecture; to Nana Bakassa, Nana Boguila, Markounda and Bossangoa, in Ouham prefecture; to Boali and Yaloke in Ombella-Mboko prefecture; to Bambari and Kouango in Ouaka prefecture; to Bria, in Haute Kotto prefecture.

supporting their relocation to safer areas within the country. In most instances, individuals were deprived of their liberty and threatened with death by armed groups.

77. Regarding reported cases of sexual and gender-based violence, particularly conflict-related sexual violence, MINUSCA has put in place the Monitoring, Analysis and Reporting Arrangements³³ (MARA), which have enabled systematic, timely, reliable and objective information-sharing within MINUSCA. Additionally, Women Protection Advisers (WPA) have been located in all Sector HQs of MINUSCA and within the HQ of HRD in Bangui and the office of the Deputy Special Representative of the Secretary-General. Furthermore, UNPOL has created a Women's Network, which is active in promoting women's rights within the communities and within national security institutions. UNPOL has also established a victim-friendly space to receive and interview complainants in the police station of the 2nd arrondissement of Bangui.
78. On 12 and 13 December 2014, with the support of OHCHR, HRD organized and facilitated a workshop on human rights and transitional justice mechanisms as part of the preparations for the Bangui Forum. The event was supported and attended by the Ministry of National Reconciliation, Dialogue and Promotion of Civic Culture. It created a platform for dialogue for 50 representatives of the Transitional Government, institutions and civil society. Issues discussed included the historical and social context of the conflict, options for transitional justice mechanisms, the need for victims to be heard and empowered, and the questions of amnesty and reparations.
79. On 9 January 2015, HRD communicated the United Nations wide Human Rights Due Diligence Policy (HRDDP) to the Transitional Government, highlighting the conditions of support to non-UN security actors in CAR.
80. Throughout the reporting period, HRD undertook sustained advocacy with the Transitional Government for the implementation of recommendations issued under the Universal Periodic Review of the Human Rights Council and from the Independent Expert on the human rights situation in the Central African Republic³⁴. In particular, HRD insisted on the creation of a national human rights commission - a recommendation endorsed by the Bangui Forum - and the ratification of all core international human rights treaties. The Transitional Government demonstrated commitment in engaging the United Nations human rights mechanisms, by actively supporting the visits of the Independent Expert, and by developing an action plan for the implementation of the UPR recommendations. The authorities have resumed consultations on the draft law on the national human rights commission with a view to submitting it to parliament for adoption. The submission had been delayed by the eruption of the armed conflict in December 2012.

³³ See: SC Resolution 1960 / 2010.

³⁴ For more information, see <http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/CFIndex.aspx>.

XI. Conclusions and Recommendations

81. The reporting period witnessed some positive political developments towards national reconciliation and reconstruction. However, serious challenges remain given the lack of progress towards the disarmament of armed groups and the absence of a functioning State authority in much of the territory, particularly outside Bangui. Improving the human rights situation will depend in large part on the strengthening the administration of justice and the rule of law and the establishment of an effective follow-up mechanism to implement the many important decisions emanating from the Bangui Forum, including the creation and effective functioning of the Special Criminal Court.
82. By the time this report was prepared, a new wave of inter-communal violence had broken out at the end of September 2015, killing over 130 people and injuring more than 430. Attacks against MINUSCA personnel and international troops in several parts of the country were also on the rise. Prompt, thorough, impartial and effective investigations by the State authorities need to be urgently commenced. This is key to foster a stable environment, which is all the more crucial for the organization and holding of the upcoming elections.
83. In order to ensure the progressive improvement of the human rights situation in CAR, MINUSCA/OHCHR urge:

The Central African authorities:

- To prioritize the fight against impunity for past and present serious human rights violations and abuses, by ensuring the prompt completion of ongoing investigations and prosecutions into such violations and abuses, including by providing security to the magistrates handling the cases, and taking measures for the protection of victims and witnesses.
- To work with greater urgency to establish the Special Criminal Court.
- To pursue, as a matter of urgency, the deployment of civil servants throughout the territory, including magistrates and law enforcement officials, in order to re-establish State authority and the rule of law.
- To present the draft law establishing a national human rights commission compliant with the Paris Principles to the CNT for its adoption and take all measures to ensure its rapid establishment.
- To develop a human rights action plan taking into account the recommendations of all international human rights mechanisms.
- To consult, raise awareness and inform the population, in particular victims, on different transitional justice options, including the possibility of establishing non-judicial mechanisms, such as a truth commission, and modalities of their participation in such mechanisms.

- To create an effective mechanism to assist victims of sexual and gender-based violence, including the provision of the necessary medical, psychological and legal support, as well as a functioning mechanism for reparations; to ensure that police and judicial authorities are trained to deal with victims of such violence in an appropriate manner with specialized training for the newly created units to address sexual violence.
- To launch sensitization campaigns in relation to ‘witchcraft’ allegations, to prevent human rights violations and abuses related to such allegations, and hold perpetrators to justice; also review the criminal code to ensure the removal of the crime of witchcraft.
- To closely monitor and take action on elections-related human rights violations and abuses, and put in place robust measures to hold perpetrators and spoilers accountable.

The armed groups/ anti-Balaka and ex-Séléka:

- To refrain from any kind of violence and take an active role in the realization of the recommendations of the Bangui Forum.
- To immediately cease any violations and abuses against civilians and recall that armed group members and their leaders who commit serious violations and abuses of human rights law and of international humanitarian law will be prosecuted by national or international courts and brought to justice.
- To actively contribute and reassert their commitment to a peaceful constitutional referendum and elections.

To the international community:

- To provide the necessary support to the Central African authorities to ensure the prosecution of those responsible for human rights violations and abuses and international humanitarian law violations, including cases of sexual and gender-based violence.
- To support the restoration and strengthening of State institutions throughout CAR.
- To provide financial and technical support for the establishment and functioning of the Special Criminal Court, including a programme for the protection of victims and witnesses, as well as technical assistance to the justice system.

To MISCA/AU and Sangaris:

- To continue and strengthen the investigations into allegations of human rights violations and humanitarian law violations by international non-UN security forces, and ensure the alleged perpetrators are held accountable.

Annex: Map of Central African Republic

