

NATIONS UNIES

Mission multidimensionnelle intégrée des
Nations Unies pour la stabilisation en
Centrafrique



UNITED NATIONS

United Nations Multidimensional
Integrated Stabilization Mission in the
Central African Republic

Human Rights Division

Monthly Report: Human Rights Situation

October 2022

The Human Rights Division's (HRD) mandate includes assisting the Government of the Central African Republic (CAR) to promote and protect human rights and prevent violations and abuses through its field offices and headquarters in Bangui. This report is based on information received by the HRD and only includes human rights violations and abuses that were documented and verified during the month of October 2022. Incidents that could not be verified are not included. Ordinary crimes are also excluded from this report.

This information is shared locally as well as nationally with the CAR's authorities and partners.

Human Rights Violations and Abuses, and Breaches of International Humanitarian Law

1. During the month of October, the HRD, including the Office of the Senior Women Protection Advisor (OSWPA) and the Child Protection Section (CPS), documented and verified 172 human rights violations and abuses and breaches of international humanitarian law (IHL), affecting 731 civilian victims (28 women and

Main Trends

In total, **172 human rights violations and abuses** as well as breaches of IHL **affecting 731 victims (28 women and 14 girls)** were documented in October 2022. This constitutes a **significant increase** in the number of victims compared to September 2022.

During the reporting period, State actors were responsible for 63% of all violations and breaches and 75% of the victims.

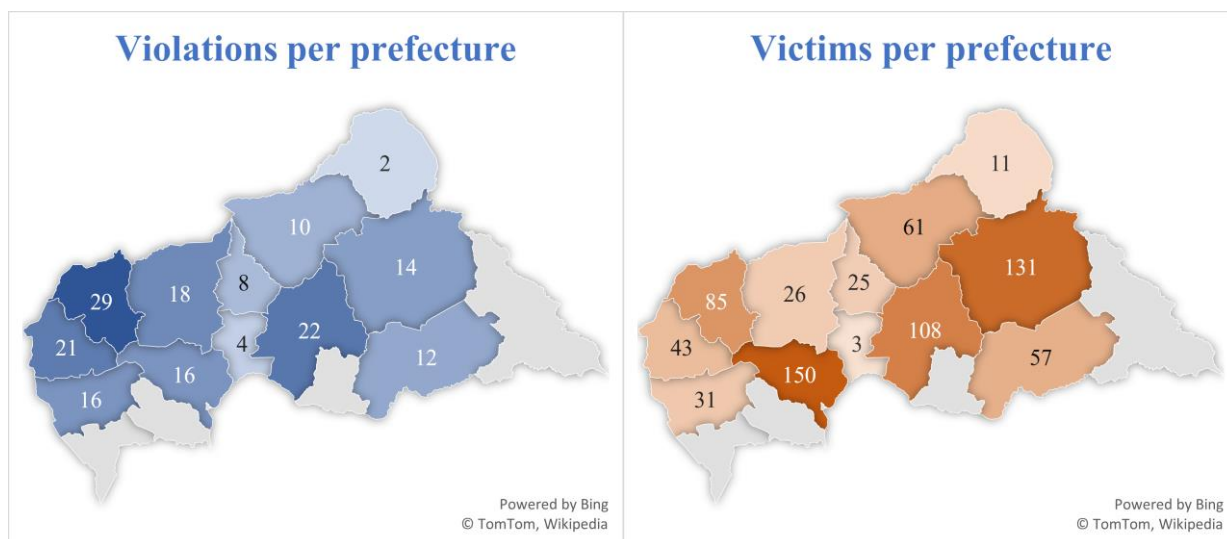
14 girls), 216 of which (10 women and eight girls) suffered multiple violations. Out of the total number of documented violations, 118 effectively took place in October 2022. The HRD also recorded 38 allegations of human rights violations and abuses affecting at least 69 victims (five female), which were still being verified at the end of October and were therefore not included in this report.

2. In this month, the number of victims increased by 117% compared to September 2022, during which time 337 victims were recorded. This increase is explained by the significant number of arbitrary arrests and detentions and unlawful conditions of detention documented in October (425) as compared to September (129).

3. Out of the total 731 victims, most were men (384), followed by women (28), boys (23), and girls (14). In addition, there were 261 victims for which the gender was not indicated (240 adults and 21 children) and 21 groups of collective victims.
4. The **Ouham-Pendé prefecture** was the most affected in terms of human rights violations and abuses (29 violations affecting 85 victims), while the **Ombella M'Poko prefecture** registered the most victims (16 violations affecting 150 victims). This can be attributed, in part, to six cases of arbitrary arrest and detention

in Bangui affecting 132 victims. There were significant number of victims in **Haute-Kotto** and **Ouaka** prefectures, as well (131 and 108 victims, respectively).

5. This month, the most common types of violations and abuses were arbitrary arrest and/or detention (22%), destruction or appropriation of property (17%), extrajudicial execution or other killing (17%), and cruel, inhuman or degrading treatment (referred to as ill-treatment) (8%).



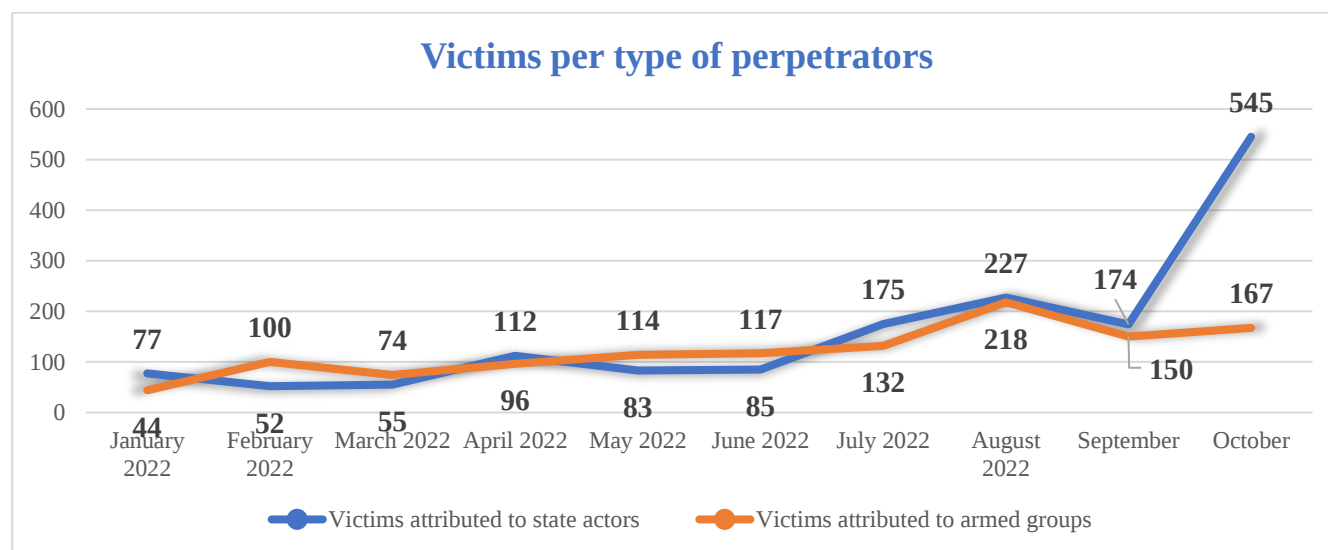
6. Men were most likely to be victims of arbitrary arrest and/or detention (154), inhumane conditions of detention (72), and ill-treatment (64). Women similarly suffered from ill-treatment (eight), rape (six), and extrajudicial execution or other killing (five). It is worth noting that women and girls accounted for 100% of the documented cases of conflict-related sexual violence (CRSV) in which the gender of the victim is known (16 victims, including three unknown minors). Boys were victims of forced recruitment for the most part (eight), with girls being victims of CRSV (six).

Perpetrators: State actors, armed groups signatories to the APPR-RCA, and others

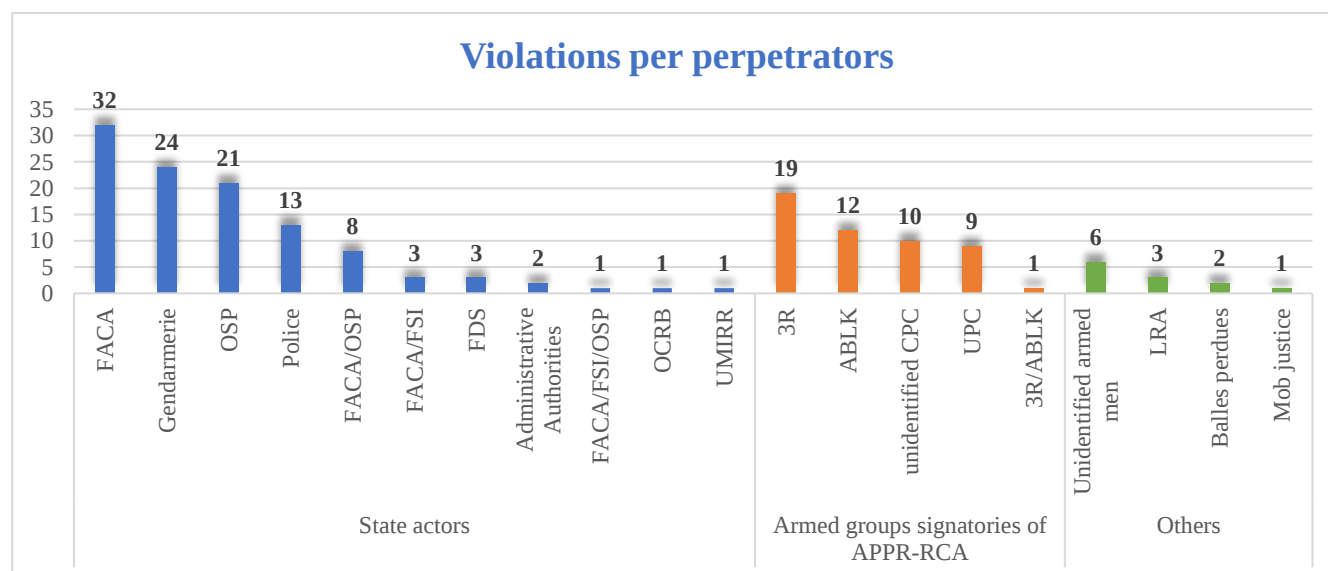
7. For the period under review, State actors committed 63% of the violations, abuses, and breaches of international law, compared to 30% for armed groups signatories of the *Accord Politique pour la Paix et la Réconciliation en République Centrafricaine* (APPR-RCA). State actors also were responsible for 75% of the victims compared to armed groups' 23%. The remaining 12 violations were committed by other actors, including unidentified armed men (six violations), the Lord's Resistance Army (three violations), stray bullets (two violations), and a mob (one violation).
8. **State actors were responsible for 109 violations affecting 545 victims (11 women and five girls)**, with 19% of these violations committed by one actor: the *Forces armées centrafricaines* (FACA). In the month of October, FACA elements committed 32 violations affecting 38 victims (including six women and four children). While FACA elements committed most of the violations, elements from Gendarmerie were responsible for most of the victims amongst State actors: 24 violations affecting 181 victims (25% of all documented victims in October). Other State actors committed violations that affected many victims as well, notably the Police (13 violations affecting 102 victims) and the Other Security Personnel (OSP) (21 violations affecting 57 victims). All but two of the violations committed by the Gendarmerie and the Police involved the rights of detained individuals (e.g., arbitrary arrest and/or detention and inhumane conditions of detention).
9. The most common type of violation committed by State actors were arbitrary arrest and/or detention (38), extrajudicial execution or other killing (14), and the destruction or appropriation of property (11). The

violations perpetrated by FACA were most likely to be committed alongside other violations. Out of the 14 cases with multiple violations documented amongst State actors, seven were committed by FACA elements (once in concert with elements from OSP and once with elements from *Forces de sécurité intérieure* (FSI)). Twelve of the 14 cases involved violations associated with detention (arbitrary arrest and/or illegal detention or inhumane conditions of detention). Unlike in September, only three of these cases involved any destruction or appropriation of property.

10. **Armed groups signatories of the APPR-RCA were responsible for 51 human rights abuses and breaches of IHL affecting 167 victims (including 16 women and 12 children).** Among them, armed group *Retour, Réclamation et Réhabilitation* (3R) committed 19 abuses affecting 56 victims (including six women and four girls), while combatants from the *Coalition des patriotes pour le changement* (CPC) committed ten abuses that affected 62 victims (including seven women and one boy).

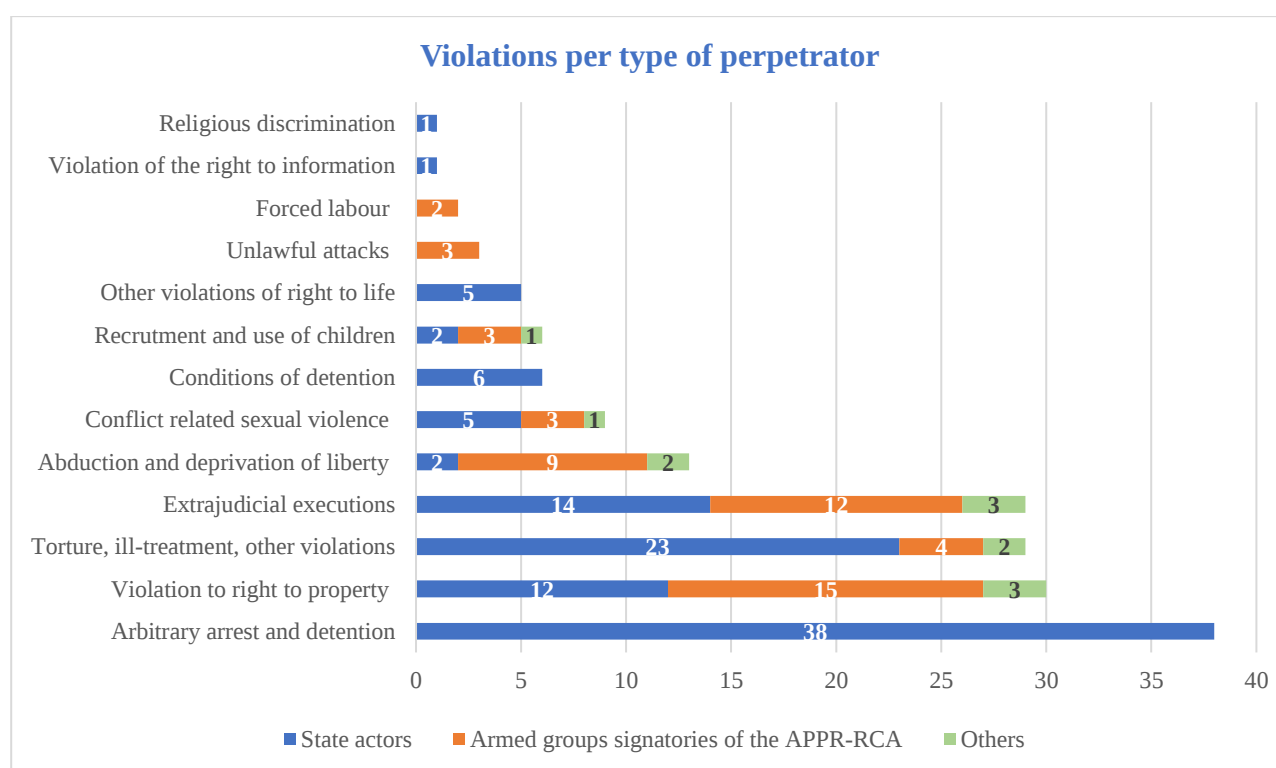


5. The most common types of abuses committed by armed groups signatories of the APPR-RCA were destruction or appropriation of property (15), extrajudicial execution or other killing (12), abduction and deprivation of liberty (nine), and denial of humanitarian access (three) and rape (three). In particular, amongst armed groups, the 3R committed nine cases of extrajudicial execution or other killings affecting 44 victims (including three women) and four cases of destruction or appropriation of property affecting six victims.



Sectoral Analysis

11. The **Sector West** was the most affected in October with 100 violations and abuses affecting 335 victims. The high number of victims is largely due to violations documented in places of detention. In **Bangui**, for example, the HRD documented seven violations of the prohibition on arbitrary arrest and/or detention affecting 137 victims. The large number is also due to the completion of an investigation carried out by the HRD in Cameroon with Central African refugees. The violations documented occurred between January 2021 and June 2022 and concerned both State actors and armed groups. For instance, the HRD documented nine violations by OSP elements from a series of attacks they conducted between September and November 2021, in which they killed or were responsible for the enforced disappearance of 31 individuals (18 men and 13 unknown adults), including 21 Peulhs (eight men and 13 unknown adults) in **Ouham-Pendé** prefecture. During this same investigation, the HRD also documented abuses by 3R combatants who frequently attacked civilian villages in Western prefectures. In one representative incident, 3R combatants attacked the villages of Kaïta (120 km from Paoua) and Asana (130 km from Paoua), killing 28 civilians (one man, three women, and 24 unknown adults).



12. The **Sector East** was the second most affected sector, with 28 violations and abuses affecting 199 victims due to the high number of violations and victims in **Haute-Kotto** prefecture, which accounted for 14 of the violations and abuses and 131 of the victims alone. The large number of victims is due largely to monitoring visits to the gendarmerie and police stations in Bria where 52 adult victims (49 men, three women) were detained beyond the legal limit for detention. Another significant human rights incident occurred on 28 October: FACA/FSI elements conducted a cordon operation in which they arbitrarily arrested, detained, and extorted 64 adults (gender unknown) in the Bornou neighbourhood of Bria. Some detainees paid between 5,000 XAF (about 7.50 USD) and 10,000 XAF (about 16 USD) to be released. Armed groups also caused negative impacts on human rights: in one particularly devastating incident, an estimated 200 combatants of the *Unité pour la paix en Centrafrique* (UPC), led by Mahamat Salley, made an incursion into the village of Mouka (90 km from Bria) on 10 October, which pushed the local civilian population into the bush. The

combatants took advantage of this displacement to loot houses and stores. The combatants also raped a woman and three unknown minors.

13. The **Sector Centre** was similarly affected with 44 violations and abuses affecting 197 victims. Of these victims, 108 are related to detention. In **Ouaka** prefecture, for example, six violations of rights associated with detention affected 78 victims, including arbitrary arrest, detention, and violations of the right to humane conditions of detention. One of the most significant incidents to occur in October took place in **Bamingui-Bangoran** prefecture on 13 October when 15 combatants of the CPC attacked around 50 civilians (39 men, four women, and seven unknown children). The combatants took the civilians' property around 40 kilometres from Ndélé on the Golongosso road. Finally, as noted above, due to several investigations by the HRD, there were additional number of cases of ill-treatment, extrajudicial execution or other killing, and enforced disappearance in this Sector that occurred between January 2021 and June 2022.

Security and political context in October 2022

14. In the **Western Sector**, the security and human rights situation were of concern in the month of October. In **Ouham-Pendé** prefecture, the HRD was informed of the disappearance of three Fulani herders on 13 October passing through Mbinaye, near the Cameroon-CAR border. Following their disappearance, on 13 October, combatants from the 3R attacked the village of Bang and took 11 civilians hostage as a means to coerce them into sharing the whereabouts of the herders. The hostages were only released after the payment of XAF 240 000 (about USD 357) as a ransom. On 14 October, the bodies of the three Fulani herders were found and the local population fled the village in fear of 3R retaliation. On 19 October, the 3R attacked a FACA position in Mann, a few kilometers from the place where the Fulani herders had been killed (55 km from Bocaranga, **Ouham-Pendé** prefecture). The provisional death toll is reported to be four, including three 3R combatants and a civilian woman; three wounded, including two FACA elements and a civilian who were evacuated to a health centre in Ngaoundaye. Several houses were also burnt down and shops looted, causing the civilian population to flee. 3R combatants reportedly threatened to attack the village of Kelle-clair on 28 October, which caused the displacement of approximately 2,300 households from the villages of Bezere, Kelle-clair, and Borodoul, reportedly in the direction of Bocaranga.
15. In the **Eastern Sector**, in the **Mbomou** prefecture, at least 500 armed combatants of the CPC and UPC were observed in Ngandou (sub-prefecture of Gambo) and around Bema (Ouango sub-prefecture) on 7 and 8 October. Reports indicate that these forces intend to attack a school in Nzako (Bakouma sub-prefecture) to force the parents of students to pay extortionate fees. As a result of these rumours, families with children have moved towards Bakouma and Bangassou. Elsewhere, in the **Haute-Kotto** prefecture, on 20 October, the HRD was informed of the alleged attack of the village of Mouka by 200 UPC combatants, causing the population to flee into the bush. They allegedly injured civilians and raped a woman and three children (gender unknown), aged from 11 to 17. In addition, the UPC combatants reportedly looted houses and shops. In the Ouanda-Djallé sub-prefecture of **Vakaga**, CPC and UPC combatants allegedly abducted about 50 people, including women and children, as they moved from the south to the north of the Ouanda-Djallé locality to transport their luggage, food, and belongings that had been looted along the way. Those taken hostage were released after carrying the belongings of the armed combatants. The fear of being abducted by armed groups in the region caused civilians to abandon their crops, desert their fields and other income-generating activities, and seek refuge in the town centre of Ouanda-Djallé. The protection of civilians is becoming more of a concern with the arrival of the dry season as areas previously inaccessible due to rainfall become navigable and transhumant populations begin to move their livestock, exposing them to banditry and attacks.
16. In the **Central Sector**, the security situation remained volatile in the prefectures of **Ouaka**, **Basse-Kotto**, and **Bamingui-Bangoran** due to the activities of anti-Balaka and UPC combatants. First, the UPC armed group was involved in two attacks against humanitarian aid workers that both took place on 21 October on the Goya-Ngakobo axis (45 km from Ngakobo, in the **Ouaka** prefecture). The first attack targeted a humanitarian convoy in which the occupants of two humanitarian non-governmental organization (NGO) vehicles were robbed of their belongings near the village of Tambia on the Bambari-Alindao road. The second attack also

targeted an international NGO vehicle that was prevented from continuing in its humanitarian assistance to vulnerable populations for at least half a day. Movements of UPC combatants expelled from **Vakaga** prefecture by ongoing MINUSCA patrols (with limited FACA support) in the area were reported in the sub-prefecture of Alindao (**Basse-Kotto** prefecture). These movements reportedly led to an increase in the stealing of Fulani herders' cattle, affecting the social cohesion of the local population. Anti-Balaka are reportedly reorganizing into self-defence groups in several localities in Alindao, which could negatively impact the protection of civilians. Second, on 24 October, FACA military operations in the Kouango sub-prefecture of **Ouaka** resulted in the shooting of a civilian suspected of being a member of the UPC because he belonged to the Fulani community and had attempted to flee when he was arrested with two of his friends. Finally, in **Bamingui-Bangoran** prefecture, cases of robbery and threats against the population by CPC combatants have become increasingly worrying, particularly in the Golongosso axis. According to information received by the HRD, the abuses are reportedly motivated by the absence of MINUSCA patrols following heavy rains which make the movement of vehicles impossible due to road damage.

Civic Space

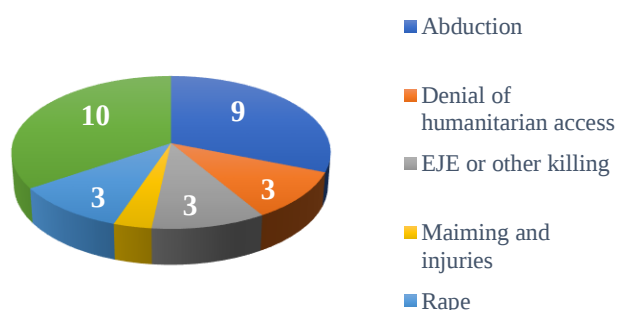
17. In Bangui, the Minister of the *Secrétariat Général du Gouvernement et des Relations avec les institutions* sent on 17 October a letter instructing the Minister of *Enseignement supérieur, de la Recherche scientifique et de l'Innovation technologique* to arrange for the replacement of Ms. Danièle Darlan as President of the Constitutional Court. The letter followed the Constitutional Court's decision to annul the presidential decrees establishing a Drafting Committee for a new Constitution. On 19 October, Ms. Darlan responded in writing to oppose the attempt to remove her from office. On 24 October, President Touadéra signed decrees removing Judge President Darlan and Magistrate Judge Bango Sangafio from the Constitutional Court. For her part, Danièle Darlan sent President Faustin-Archange Touadéra a letter dated 27 October in which she wrote: "Two judges appointed in violation of the constitution will sit in the Constitutional Court, they will be illegitimate. This will have serious consequences for the Court: its functioning, its credibility and even its legitimacy." On 28 October, President Faustin-Archange Touadéra spoke to the media about these events: "I would like to make it clear that retirement is neither a prosecution, nor an arrest, nor an infringement of the independence, nor a compulsory transfer of a constitutional judge, much less a forced resignation without authorization from the Constitutional Court." In an interview with Radio France International on 31 October, Judge Darlan explained in response that while she "contests the manner in which she was relieved of her functions" she does not have the intention of returning to the Constitutional Court because she has "turned the page." Yao Agbetse, the Independent Expert on the situation of human rights in Central African Republic, said in a statement that independence of the judiciary and national institutions is vital to stability and transitional process in CAR. He noted in particular that "Political decisions of expediency could hinder the evolution of programmes aimed at the social, political and economic recovery of the country."

Special Criminal Court

18. On 20 October, in Bangui, Firmin Junior Danboy, subject of an arrest warrant issued by the Special Criminal Court (SCC), was brought before the Investigating Judges of the SCC for his initial appearance. After being informed of his rights, Danboy was formally charged with crimes against humanity, committed between February 2009 and 23 March 2013, in the prison and military training centre of the Presidential Guard in Bossembélé. These crimes included murder, enforced disappearance of persons, imprisonment, or other severe deprivation of physical liberty in violation of fundamental rules of international law, torture, rape, sexual slavery, enforced prostitution or any other form of sexual violence of comparable gravity, and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical.
19. An armed group leader, Abdel Khalil, an influential member of the ex-Seleka and President of the *Union des Forces Démocratiques pour le Rassemblement Fondamental* (UFD RF), was arrested by the SCC on 23 October. He is charged with war crimes and crimes against humanity.

20. On 31 October, the SCC issued a judgment in the case against three 3R defendants who were found guilty for their role in the massacre of at least 46 civilians in May 2019 in the villages of Lemouna and Koundjili, in the sub-prefecture of Paoua in north-western CAR. The defendants, Issa Sallet Adoum, Ousman Yaouba and Tahir Mahamat, were convicted of war crimes (murder and humiliating and degrading treatment) and crimes against humanity (murder and other inhumane acts). The Court also convicted Issa Sallet Adoum of rape, constituting both crimes against humanity and war crimes on the basis of command responsibility. The conviction can be appealed. The defendants were sentenced to prison terms from 20 years to life. In praising the historical first judgment of the SCC, the newly appointed U.N. High Commissioner for Human Rights, Volker Türk, said in a statement that the verdict “shows the capacity of the Central African Republic’s courts, assisted by the international community, to address the gravest crimes suffered by its people.”

Type of grave child rights violations



Children in Armed Conflict

21. During the reporting period, the Country Task Force on Monitoring and Reporting (CTFMR) verified 26 grave child rights violations¹ affecting 16 children (nine boys and seven girls), some of whom were victims of multiple violations. There was no increase or decrease in the total number of violations or victims recorded. Compared to September 2022, more boys were directly affected by the violations documented during this period compared to the previous period during which five boys and 11 girls were affected. Seventy-seven percent (77%) of the violations were committed by armed groups and 23% by governmental forces. Seven violations (27%) occurred outside the reporting period but were only verified during the period under review. Seven children (two boys and five girls) were victims of two violations – abduction and recruitment and use (five), abduction and rape (one), and recruitment and use and rape (one).
22. Violations documented included recruitment and use of children (10), maiming (one), rape and other forms of sexual violence (three), abduction (nine) and denial of humanitarian access (three). Armed groups committed the highest number of violations (20): anti-Balaka (10), 3R (seven) and unidentified CPC (one); the Lord’s Resistance Army (LRA) (two); followed by governmental forces (six): FACA/FSI (three) and FACA (three). Mambéré-Kadéï and Ouham-Pendé were the most affected prefectures in terms of violations (seven), followed by Nana-Mambéré (six), Ouham (four) and Haut-Mbomou (two).

¹ The information in this section has been collected by the MINUSCA Child Protection Unit. The Security Council has created mechanisms and tools to implement the mandate on the protection of children in armed conflict, including through Security Council resolution 1612 (2005), which establishes the Monitoring and Reporting Mechanism (MRM) to collect reliable and up-to-date information on violations committed against children by the parties to the conflict, as well as the Security Council Working Group on Children and Armed Conflict. At MINUSCA, a task force monitors and reports on the six serious violations covered by the MRM, namely the recruitment and use of children, killing and maiming, sexual violence, abduction, attacks on schools and hospitals, and denial of humanitarian access.

23. During the reporting period, the Child Protection Unit (CPU), on behalf of the CTFMR, held two meetings with FACA leadership in Dekoa and Sibut (Nana-Grébizi Prefecture). In the meeting with the FACA in Sibut, the Commander deplored the presence of children near their camp. CPU advocated for the appointment of a Child Protection Focal Point (CPFP) with whom CPU can engage to address this issue. CPU informed that it would support the CPFP in sensitizing community members against allowing children to loiter around military camps and on how to interact appropriately with children who approach their base. The Commander appointed a Sergeant as the CPFP. CPU also advocated for the appointment of a CPFP in the meeting with FACA leadership in Dekoa. The Commander promised to revert with information of the CPFP. CPU also sensitized the FACA leadership in Dekoa on the Ministry of Defence's circular prohibiting the presence of children near military bases. Copies of the circular were distributed to them.

Act to Protect Campaign

Through the “**Act to Protect**” campaign, 186 peacekeepers (161 men and 25 women) were trained on the protection of children during armed conflict including on monitoring and reporting of grave violations against children. Similar trainings and sensitizations were conducted for **1,434 community members and leaders, NGOs, national defense and security forces** (FACA, police and gendarmerie), **local authorities, foster parents and regional academic inspection staff** (756 men and 678 women).

Conflict-Related Sexual Violence

24. During the month of September, the HRD documented a total of nine cases of CRSV (eight cases of rape and one case of sexual slavery) affecting 16 victims (six women, seven girls, and three unknown minors). The case of sexual slavery occurred when Lord's Resistance Army combatants abducted a girl in 2014 from her home in the Democratic Republic of the Congo. She escaped on 14 October 2022 in **Mbomou** prefecture. The number of cases in October is lower than the number documented in September (24 cases affecting 33 victims).
25. On 14 October, the Women Protection Section (WPS) participated to the workshop organized by the national commission on Truth, Justice, Reparation and Reconciliation (CVJRR) in Bangui, in partnership with the Global Survivors Fund for victim of sexual violence in conflict. Participants agreed on the elaboration of a national roadmap of the reparation policy in CAR. During the workshop, the reparation projects of Mali, Peru, Colombia, and Cote d'Ivoire were presented as good examples.
26. On 19 October, WPS attended the launch by President Touadéra of the activities of the Strategic Committee for the fight against gender-based and CRSV, as part of the national action plan adopted in July 2022. The Committee is supported technically and financially by the CVJRR and the Global Survivors Fund, and is focused on reparations under the theme “An Innovative Survivor-Centred Approach: Towards Reparation for Survivors of SGBV in CAR.”

Human Rights Promotion and Capacity-Building

27. This month, the HRD organised 161 activities, in some instances with partners, on human rights and international humanitarian law in 10 prefectures,² benefitting 3,901 individuals (of which 1,289 were women), including representatives of civil society organizations, State actors, and members of the media.
28. These activities included 14 awareness campaigns, which reached 1,616 beneficiaries (732 women), including internally displaced persons, civil society organisations, community leaders, local human rights fora and the civilian population. In addition, 10 capacity-building workshops were organised benefitting 93 individuals (23 women) from civil society organizations, local human rights fora, community leaders, and the local population.

² The prefectures are as follows: Bamingui-Bangoran; Haute-Kotto; Mbomou; Nana-Grébizi; Nana-Mambéré; Ombella M'Poko; Ouaka; Ouham; Ouham-Pendé; and Vakaga.

The HRD also conducted 15 trainings for State actors, including 196 individuals (23 women) from FACA, FSI, the Gendarmerie, and the Police.

29. In September, the HRD conducted 43 monitoring visits of detention centres in 14 prefectures.³ During these visits, the HRD documented 306 cases of unlawful detention, including cases in which the detainees were being held past the legal 72 hours limit for custody. The HRD also documented inhumane conditions of detention, including overcrowded and unsanitary cells and limited access to healthcare, leading to an increasing number of detainees falling sick. Following the HRD's advocacy with officials in the Berbérati police station, officials improved the hygienic conditions of the detainees by emptying the outside toilets used by the detainees which had not been functional for some time.

Transitional Justice

With the support of the Humanitarian Dialogue Center, the **Truth, Justice, Reparation and Reconciliation Commission (CVJRR)** has begun the process of setting up seven offices in regions where it can maintain a presence. The areas selected include Birao, Berbérati, Ndélé, Bossangoa, Paoua, Obo and Bambari. It requested the support of the HRD in the transmission of the calls for applications in ten localities except Paoua to allow their publication by the administrative authorities. Field missions will follow to collect these applications.

30. On 11 and 12 October, the HRD conducted two capacity-building workshops on human rights law for 14 police officers (all men) in Kaga-Bandoro, **Nana-Grébizi** prefecture. The participants were trained on basic human right concepts and due process of law, including detention and investigation safeguards. The importance of respecting the 72-hour limit for police custody was highlighted. On 20 October, the HRD organised an awareness-raising workshop on human rights and the fight against mob justice in the Crembou neighbourhood in Mbrès, **Nana-Grébizi** prefecture. The participants (16 persons, including eight women) were urged to respect human rights in light of recent mob justice incidents regarding cases of charlatanism and witchcraft.

31. On 19 October, the HRD, in collaboration with representatives from UN Police and Civil Affairs, jointly organised an awareness-raising workshop on human rights, CRSV, women's rights, the rights of people with disabilities, and the right to education, attended by 800 participants, including children of the local authorities and the population in Ouanda-Djallé, **Vakaga** prefecture.
32. During the month of October, the Human Rights Due Diligence Policy (HRDDP), Vetting and Profiling (HVP) Secretariat conducted 14 risk assessments for MINUSCA's support to the National Defence and Security Forces. In total, the HRDDP Secretariat screened and verified 45 FSI (24 Police and 21 Gendarmes), three FACA, 12 members of the mobile DDR team, as well as one Member of Parliament (MP). Among the 61 persons verified, one was excluded by the Secretariat for having been implicated in the commission of human rights violations. All 14 of the risk assessments were evaluated to have low risk and the support was approved with a set of recommendations and mitigation measures for further implementation.

³ The prefectures are as follows: Bamingui-Bangoran; Bangui; Basse-Kotto; Haute-Kotto; Kémo; Mambéré-Kadéï; Mbomou; Nana-Grébizi; Nana-Mambéré; Ombella M'Poko; Ouaka; Ouham; Ouham-Pendé; and Vakaga.