

## THE WAR REPORT 2018

### CENTRAL AFRICAN REPUBLIC: SECTARIAN AND INTER-COMMUNAL VIOLENCE CONTINUES



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## HISTORY OF THE CONFLICT

The current violence in the Central African Republic (CAR), often referred to as the ‘forgotten’ conflict, has its most recent roots in 2013, when Muslim rebels from the Seleka umbrella group organized a coup d’état seizing power in a Christian-majority country.<sup>1</sup>

From the end of 2012 to the beginning of 2013, the Seleka coalition, mainly composed of armed groups from north-eastern CAR, including the Union of Democratic Forces for Unity (UFDR), Democratic Front of the Central African People (FDPC), the Patriotic Convention for the Country’s Salvation (CPSK) and the Convention of Patriots for Justice and Peace (CPJP), strongly opposed President François Bozizé for his failure to implement the disarmament, demobilization and reintegration programme<sup>2</sup> in the northeast, investigate rebel and government crimes that had occurred since 2005, when Bozizé was officially elected, and for the general lack of governance in the region. After gaining control over some strategic towns in early 2013, it soon became clear that the Seleka’s purpose was to seize the capital, Bangui; nonetheless, neighbouring Chad along with the Economic Community of Central African States (ECCAS) managed to persuade the Seleka to negotiate with Bozizé’s government.<sup>3</sup> The negotiations led to the Libreville Agreement of January 2013, establishing a three-year power-sharing agreement.

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Furthermore, it provided that Bozizé would remain in power until 2016 but could not run for a third term.

However, the Libreville Agreement was mainly negotiated by regional heads of state while the leaders of the warring parties in CAR and the African Union (AU) itself played a marginal role.<sup>4</sup> Thus, its actual implementation immediately proved to be a failure and the reforms required under the transition were never undertaken by Bozizé’s government.<sup>5</sup> This generated frustration within the Seleka

coalition, which decided to take action and, by 24 March 2013, gained control over Bangui and 15 of the country’s 16 provinces. As a result, Bozizé fled to Cameroon while the Seleka leader, Michel Djotodia, proclaimed himself President of CAR and suspended the constitution. ECCAS called for the creation of a Transitional National Council aimed at creating a new constitution and organizing elections within 18 months; Djotodia was eventually selected as Interim President on 13 April 2013. In May, his government seemed to take a positive step by indicting Bozizé for crimes against humanity allegedly committed during his time in office;<sup>6</sup> however, he was soon criticized at the international level as his Seleka fighters were also accused of serious crimes (i.e. the recruitment of child soldiers) allegedly committed while overthrowing Bozizé’s government but were not brought to justice.

In September 2013, President Djotodia officially called for the dissolution of the Seleka coalition, stating that anyone acting in its name would be punished.<sup>7</sup> Nonetheless, violence continued and, in response, many civilians decided to form primarily Christian self-defence militias known as the anti-Balaka (‘anti-machete’), loyal to former president Bozizé, as a means of counterattack.<sup>8</sup> Inter-communal clashes between former Seleka fighters and the anti-Balaka began in late September 2013 and quickly escalated. According to a Human Rights Watch report issued in December that year, the anti-Balaka specifically targeted



<sup>1</sup> ‘Central African Republic Country Profile’, BBC News, 1 August 2018, <https://www.bbc.co.uk/news/world-africa-13150040>.

<sup>2</sup> The disarmament, demobilization and reintegration programmes for former combatants formed part of the peace deals known as the Birao Peace Agreement and the Libreville Comprehensive Peace Agreement, respectively signed in 2007 and 2008, between the government of CAR and several rebel groups.

<sup>3</sup> International Coalition for the Responsibility to Protect (ICRtoP), ‘Crisis in the Central African Republic’, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-the-central-african-republic> (last accessed 7 August 2018).

<sup>4</sup> See Council on Foreign Relations, ‘The Growing Crisis in Central African Republic’, 20 March 2013, <https://www.cfr.org/blog/growing-crisis-central-african-republic> (last accessed 9 August 2018).

<sup>5</sup> ICRtoP, ‘Crisis in the Central African Republic’.

<sup>6</sup> ‘Central African Republic Issues Arrest Warrant for Ex-President’, Chicago Tribune, 31 May 2013, [http://articles.chicagotribune.com/2013-05-31/news/sns-rt-centralafrica-presidentwarrant15n0ec39h-20130531\\_1\\_michel-djotodia-seleka-crimes](http://articles.chicagotribune.com/2013-05-31/news/sns-rt-centralafrica-presidentwarrant15n0ec39h-20130531_1_michel-djotodia-seleka-crimes).

<sup>7</sup> ‘CAR President Djotodia Bans Former Seleka Rebel Backers’, BBC News, 13 September 2013, <https://www.bbc.co.uk/news/world-africa-24088995>.

<sup>8</sup> ‘Briefing: Who Are the Anti-Balaka of CAR?’, IRIN, 12 February 2014, <http://www.irinnews.org/analysis/2014/02/12/who-are-anti-balaka-car>.

Muslim communities and committed widespread abuses, particularly in Ouham province, north of Bangui.<sup>9</sup> In retaliation, the ex-Seleka forces attacked Christian residents in the area.<sup>10</sup> The fighting fuelled longstanding rivalries between the Christian majority and the Muslim minority in CAR, thus adding a sectarian element to a conflict already characterized by lawless competition for natural resources among different armed groups.<sup>11</sup>

On 10 January 2014, Djotodia resigned over criticism of his failure to stop the increasing violence and instability. A week later, Catherine Samba-Panza, former mayor of Bangui, took over as Interim President. A 2014 United Nations report, found that Chadian citizens and peacekeepers were also responsible for mass killings in the country<sup>12</sup> and for facilitating Seleka regroupings in northeastern CAR.<sup>13</sup> In addition, Amnesty International also accused international peacekeepers of having failed to prevent the ethnic cleansing of Muslim civilians carried out in the western part of the country by anti-Balaka militias.<sup>14</sup>

In response, the interim government arrested 11 anti-Balaka officers and charged them with war crimes. By March 2014, more than 650,000 people had been internally displaced, with more than 232,000 in Bangui alone.<sup>15</sup> Over 290,000 people had also fled to neighbouring Cameroon, Chad, the Democratic Republic of Congo (DRC) and the Republic of Congo.<sup>16</sup> In April 2014, the UN Security Council (UNSC), through Resolution 2149, established the UN Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA) acting under Chapter VII of the UN Charter. This transformed the previous AU-led International Support Mission to the Central African Republic, known as MISCA, into a UN peacekeeping mission composed of 10,000 military

9 Human Rights Watch (HRW), 'They Came to Kill': Escalating Atrocities in the Central African Republic, 18 December 2013, <https://www.hrw.org/report/2013/12/18/they-came-kill/escalating-atrocities-central-african-republic> (last accessed 7 August 2018).

10 Ibid.

11 R. Ratcliffe, 'The Future is Very Dark': Central African Republic's Relentless Cycle of Suffering', *The Guardian*, 18 December 2017, <https://www.theguardian.com/global-development/2017/dec/18/the-future-is-very-dark-central-african-republics-relentless-cycle-of-suffering>.

12 T. Miles, 'U.N. Points to Chadian Collusion in Central African Republic Killings', *Reuters*, 14 January 2014, <https://uk.reuters.com/article/uk-centralafrican/u-n-points-to-chadian-collusion-in-central-african-republic-killings-idUKBREA0D0VL20140114>.

13 HRW, 'Central African Republic: Seleka Fighters Regroup in North', 5 February 2014, <https://www.hrw.org/news/2014/02/05/central-african-republic-seleka-fighters-regroup-north> (last accessed 7 August 2018).

14 Amnesty International, 'Central African Republic: Ethnic Cleansing and Sectarian Killings', 12 February 2014, <https://www.amnesty.org/en/latest/news/2014/02/central-african-republic-ethnic-cleansing-sectarian-violence/> (last accessed 7 August 2018).

15 MINUSCA, 'About', <https://minusca.unmissions.org/en/about> (last accessed 7 August 2018).

16 Ibid.

personnel, which became operational on 15 September 2014. On 30 May 2014, the Government of CAR referred the situation in its territory since 1 August 2012 to the International Criminal Court (ICC).<sup>17</sup>

In July 2014, ex-Seleka factions and anti-Balaka representatives signed a ceasefire agreement in Brazzaville leading, by the end of the year, to a de facto territorial partition of CAR with the Seleka controlling the north and anti-Balaka militias the south. Accordingly, hostilities slowly decreased but government control outside of the capital, Bangui, was very limited. In August, in the wake of this deal, the Muslim politician Mahamat Kamoun was appointed the first Muslim prime minister of CAR by President Samba-Panza; his appointment, however, was rejected by the Seleka group itself as he was not a Seleka member.<sup>18</sup>

Ex-Seleka fighters formed new militias, often fighting each other, and on 14 December 2015 the rebel leader Nouredine Adam declared the autonomous Republic of Logone,<sup>19</sup> which was immediately denounced by CAR's interim government.

General elections were held in December 2015 and former prime minister Faustin-Archange Touadéra was elected President in February 2016. The elections marked the return to constitutional order after two years of transitional government, and the newly appointed government immediately emphasized the importance of the disarmament, demobilization, reintegration and repatriation, and the security sector reform processes as well as the need to set up the Special Criminal Court (SCC).<sup>20</sup> However, the appointment also led to discontent within the Muslim community and among armed groups because of their insufficient representation in the institutions; the security situation in Bangui deteriorated significantly from June 2016 onwards.<sup>21</sup>

At the end of 2016, tensions erupted in Bambari and the surrounding region of Ouaka within the Seleka group, divided into two main branches: on one side, the Ali Darassa

17 See International Criminal Court (ICC), 'Central African Republic II', ICC-01/14, <https://www.icc-cpi.int/carII> (last accessed 7 August 2018).

18 'Central African Republic Crisis: Rebels Reject New Muslim PM Kamoun', *BBC News*, 11 August 2014, <https://www.bbc.com/news/world-africa-28738994>.

19 'Central African Rebel Leader Declares Autonomous Republic', *Reuters*, 15 December 2015, <https://www.reuters.com/article/us-centralafrica-politics-idUSKBN0TY1F620151215>.

20 MINUSCA, Report on the Human Rights Situation in the Central African Republic (CAR): from 1 April 2016 to 31 March 2017, pp. 8–9, [https://minusca.unmissions.org/sites/default/files/20171228\\_minusca\\_third\\_public\\_report\\_on\\_car\\_hrd\\_final.pdf](https://minusca.unmissions.org/sites/default/files/20171228_minusca_third_public_report_on_car_hrd_final.pdf) (last accessed 7 August 2018).

21 Ibid.



Union for Peace in Central Africa (UPC)<sup>22</sup> and, on the other, a coalition of Adam's Popular Front for the Rebirth of Central Africa (FPRC)<sup>23</sup> and Ali Katim's Central African Patriotic Movement (MPC), aimed at defeating the UPC in order to establish the capital of their future northeastern CAR state in Bambari.<sup>24</sup> By the beginning of 2017, violence again rose to the levels of the 2013 crisis. MINUSCA reinforced its troops to prevent the FPRC taking the city and, in February 2017, the FPRC's Chief of Staff, Joseph Zoundeko, was killed by the Blue Helmets. At the same time, MINUSCA negotiated the UPC leader Ali Darassa's removal from Bambari so as to create an 'armed group-free zone' in CAR's second largest city.<sup>25</sup> The UPC departure meant that MINUSCA was no longer obliged to protect the Muslim community against the anti-Balaka forces of Gaëtan Boade;<sup>26</sup> however, it also caused the fighting to spread from urban to rural areas. Additionally, MINUSCA relied on Ugandan and American special forces deployed in the country to eliminate the Lord's Resistance Army in order to keep the peace in the southeast, but their mission ended in April 2017 after five years of fighting.

By the second half of 2017, the fighting shifted to the southeast where the UPC reorganized and clashed with the FPRC as well as anti-Balaka groups.<sup>27</sup> On 19 June 2017, an 'immediate ceasefire' mediated by the Roman Catholic peace group Sant'Egidio was signed in Rome between the CAR Government and 14 armed groups. Under the agreement, armed groups were to be given representation in the

22 Mainly composed of Muslims from the Fulani ethnic group of Bambari.

23 Mainly composed of Muslims from the Gula and Runga ethnic communities.

24 L. Larcher, 'The Battle of Ouaka in Central African Republic', La Croix International, 27 February 2017, <https://international.la-croix.com/news/the-battle-of-ouaka-in-central-african-republic/4756#>.

25 P. Kleinfeld, "'People Are Dying Every Day' – CAR Refugees Fleeing War Suffer in Congo", IRIN, 30 October 2017, <http://www.irinnews.org/feature/2017/10/30/people-are-dying-every-day-car-refugees-fleeing-war-suffer-congo>.

26 Larcher, 'The Battle of Ouaka in Central African Republic'.

27 'Red Cross: 115 bodies Found in CAR's Bangassou', Al Jazeera, 17 May 2017, <https://www.aljazeera.com/news/2017/05/red-cross-115-bodies-car-bangassou-170517114611855.html>.

political arena in exchange for an end to attacks.<sup>28</sup> A day after its signing, however, around 100 people were killed in fighting involving mainly an anti-Balaka militia and the FPRC in the major town of Bria.<sup>29</sup> A pattern of reprisal killings targeting ethnic Muslim Fulani on one side and Christians on the other became evident; thus, the UN stated that 'the early warning signs of genocide'<sup>30</sup> were present. In October 2017, another ceasefire was signed between the UPC, the FPRC and anti-Balaka groups.<sup>31</sup>

In November 2017, the leader of the Christian Revolution and Justice (RJ), Clément Bélanga, was killed by members of the National Movement for the Liberation of the Central African Republic (MNLRC),<sup>32</sup> allegedly backed by Fulani fighters from Chad. Accordingly, tensions between the two groups erupted in northwestern CAR, around Paoua. Meanwhile, the UPC and the FPRC keep battling for control in the Ouaka and Haute-Koto regions. Finally, most armed groups including the anti-Balaka and the FPRC have been boycotting president Touadéra's disarming efforts.<sup>33</sup>

## PARTIES TO THE CONFLICT<sup>34</sup>

Within the current context of lawlessness characterizing the violence among different armed groups in the country, rebuilding a mixed army, Central African Armed Forces (FACA),<sup>35</sup> representing the diversity of CAR's ethnic groups is among President Touadéra's most urgent tasks.<sup>36</sup> As the army still has limited power and control outside of the capital, Bangui, it is not considered to be a party to the current conflict in the following analysis.

### MINUSCA

The increasing involvement of MINUSCA in joint operations with the FACA in order to dismantle militia

28 'CAR Government Signs Peace Deal With Rebel Groups', Al Jazeera, 19 June 2017, <https://www.aljazeera.com/news/2017/06/car-government-signs-peace-deal-rebel-groups-170619175516668.html>.

29 'CAR Violence: Deadly Clashes in Bria Despite Ceasefire Deal', BBC News, 21 June 2017, <https://www.bbc.com/news/world-africa-40350057>.

30 'UN Sees Early Warning Signs of Genocide in CAR', Al Jazeera, 7 August 2017, <https://www.aljazeera.com/news/2017/08/sees-early-warning-signs-genocide-car-170807215828039.html>.

31 Kleinfeld, "'People Are Dying Every Day'".

32 'Centrafrique: au moins 25,000 nouveaux déplacés dans le nord-ouest', Le Monde, 9 January 2018, [https://www.lemonde.fr/afrique/article/2018/01/09/centrafrique-au-moins-25-000-nouveaux-deplacés-dans-le-nord-ouest\\_5239303\\_3212.html](https://www.lemonde.fr/afrique/article/2018/01/09/centrafrique-au-moins-25-000-nouveaux-deplacés-dans-le-nord-ouest_5239303_3212.html).

33 Council on Foreign Relations, 'Violence in the Central Africa Republic', Global Conflict Tracker, <https://www.cfr.org/interactives/global-conflict-tracker?co=C042701#/#/conflict/violence-in-the-central-african-republic> (last accessed 8 August 2018).

34 See N. Dukhan, Splintered Warfare: Alliances, Affiliations, and Agendas of Armed Factions and Politico-Military Groups in the Central African Republic, The Enough Project, August 2017, [https://enoughproject.org/wp-content/uploads/2017/08/SplinteredWarfare\\_August2017\\_Enough\\_final.pdf](https://enoughproject.org/wp-content/uploads/2017/08/SplinteredWarfare_August2017_Enough_final.pdf) (last accessed 9 August 2018).

35 FACA is currently estimated to have 5,825 active military personnel. See Global Firepower, 'Central African Republic Military Strength', [https://www.globalfirepower.com/country-military-strength-detail.asp?country\\_id=central-african-republic](https://www.globalfirepower.com/country-military-strength-detail.asp?country_id=central-african-republic) (last accessed 9 August 2018).

36 GlobalSecurity.org, 'Central African Republic Army', <https://www.globalsecurity.org/military/world/africa/car-army.htm> (last accessed 9 August 2018).

bases in Bangui led, in April 2018, to some direct fire confrontation between the UN mission and armed groups in the PK5 neighbourhood. One could argue that the confrontation reached the intensity threshold required for MINUSCA to be considered a party to the conflict with PK5 groups. This nevertheless remains controversial.

## NON-STATE ARMED GROUPS

Currently, a wide array of armed groups characterized by different degrees of organization control most of the country. The following list attempts to identify the most important and active ones: among these, some (i.e. the Coalition, the UPC and Return, Reclamation, Rehabilitation (3R)) seem to reach the organizational threshold required for the application of international humanitarian law of non-international armed conflicts (NIACs), while the same claim for the others is not unequivocal.

## THE COALITION

The Coalition formed in September 2016 to strengthen the negotiating power of its members, expand the de facto partition of the country and allow for the exploitation of its resources to benefit its leaders. It has systematically targeted the UPC, which refused to join it, as well as the Peuhl/Fulani communities accused of being foreigners. The Coalition is composed of various armed groups, including ex-Seleka factions (i.e. the FPRC, Assembly for the Renaissance of Central Africa (RPRC) and the MPC) and an anti-Balaka group (anti-Balaka/Mokom wing) associated with former president Bozizé.

### **Popular Front for the Rebirth of Central Africa (FPRC):**

The FPRC was created in August 2014 from the previous Seleka coalition and Nourredine Adam and Michel Djotodia, the previous Seleka leader and president of CAR, are among its main leaders. Together with other affiliated groups, its strategy is to manipulate the threat of anti-Balaka violence against the Muslim community in order to justify its reprisals.

### **Assembly for the Renaissance of Central Africa (RPRC):**

The RPRC formed in November 2014 having been previously affiliated with the FPRC. Its main leaders are Gontran Djono Ahaba and Zakaria Damane, both from the Gula ethnic group, and its main objective is to overthrow the central government in order to re-establish a Seleka regime or, alternatively, have an official partition of the country with Bambari as the new capital of its own state.

**Central African Patriotic Movement (MPC):** The MPC emerged in July 2015 and was until then affiliated with the FPRC. One of the MPC leaders, Mahamat al-Khatim, has been the Coalition's Chief of Staff since May 2017. Additionally, since 2016 the MPC has also had an alliance with RJ, mainly based on sharing economic revenue in areas they both control. They share the same political agenda as the Coalition, which they are members of, and also seek to ensure the inclusion of CAR citizens with Chadian origin in the political system.

### **Anti-Balaka – Mokom wing (associated with Bozizé):**

The Anti-Balaka – Mokom wing formed in 2015 and is mainly composed of previous members of Bozizé's presidential guard as well as army officers under his regime and in self-defence groups. Its main leaders are François Bozizé and Maxime Mokom and its particular aim is to bringing Bozizé back to power. It is part of the Coalition and, since January 2015, the Mokom wing has also formed an alliance, the so-called 'Alliance of the Nairobiists', with the FPRC so as to increase their leverage against the central government and the international community.

## MOVEMENT OF CENTRAL AFRICAN LIBERATORS FOR JUSTICE (MLCJ)

The MLCJ dates back to 2008, when it splintered from the UFDR, and was then part of the Seleka coalition in 2012 and 2013. Its leaders support the FPRC's agenda and, according to some, the MLCJ is unofficially part of the Coalition.

## UNION FOR PEACE IN CENTRAL AFRICA (UPC)

The UPC was formed in October 2014 by Ali Darassa and is mainly composed of Muslims from the Fulani ethnic group of Bambari. In 2016, it was the strongest armed group in CAR, thus creating tensions with other ex-Seleka factions. It then became the main target of the Coalition's attacks and, in March 2017, was forced to leave its stronghold in Bambari. It now occupies the Alindao area, the southeast part of the country, and remains strong thanks to its military command and access to arms from the region, particularly Sudan and the DRC. The leaders of the UPC declare that their purpose is not to overthrow the central government but rather to maintain and expand their territorial control as well as be integrated within the government and the national armed forces.

## RETURN, RECLAMATION, REHABILITATION (3R)

3R was formed towards the end of 2015 by General Sidiki Abass with the initial purpose of protecting the minority Muslim Peuhl populations from attacks by Christian anti-Balaka militias.<sup>37</sup> It is made up of mostly Muslim cattle herders and has no known links with Seleka rebels. 3R also claims to fight against RJ combatants threatening the Fulani/Peuhl communities who live in southwest CAR. However, it seems to be a Cameroonian or Central African group<sup>38</sup> whose real purpose is to maintain the de facto partition of the country so as to keep benefiting from its resources through taxation and kidnapping.

## REVOLUTION AND JUSTICE (RJ)

RJ was created in 2015 with other self-defence groups located in northwestern CAR, mostly by members of the presidential guard of former president Patassé. It has built its power on a system of taxation and de facto partition of the territories under its control. In such territories, RJ cohabitates with the MPC.

## NATIONAL MOVEMENT FOR THE LIBERATION OF THE CENTRAL AFRICAN REPUBLIC (MNL)<sup>39</sup>

The MNL was founded in October 2017 under the command of Mahamat Bahar, a former member and co-founder of the FPRC and MPC, and is allegedly backed by Fulani fighters from Chad. It divided the territory in the northwest with RJ, but tensions erupted after the killing of RJ leader Clément Bélanga in November 2017.

## MUSLIM SELF-DEFENCE GROUPS IN BANGUI

These groups emerged in December 2013 in Bangui's Muslim neighbourhood PK5 (also known as KM5) to protect the Muslim community from anti-Balaka attacks. In 2015, ex-Seleka leaders took control of the PK5 area and Muslim self-defence groups were used for political gain. In August 2016, after the departure of the FPRC leaders from PK5, four self-defence groups remained active but became less powerful. In April 2018, they were involved in violent fire confrontations with MINUSCA.

37 A. Essa, 'Newly Formed 3R Rebel Group Inflicts Horrors in CAR: UN', Al Jazeera, 23 December 2016, <https://www.aljazeera.com/news/2016/12/newly-formed-3r-rebel-group-inflicts-horrors-car-161223035217671.html>.

38 Ibid.

39 'Centrafrique: au moins 25,000 nouveaux déplacés dans le nord-ouest'.

## ANTI-BALAKA LOCAL GROUPS

Such groups were initially created around 1980–1990 in northern CAR and have joined the anti-Balaka movement since 2013 to counterattack the Seleka. They do not have a specific political agenda, nor specific military training.

## NATIONAL COORDINATION OF THE EX-ANTI-BALAKA

The National Coordination of the Ex-Anti-Balaka emerged in 2014 to protect the non-Muslim community from the threat of ex-Seleka factions. Thus, it refuses to disarm as long as the Seleka groups remain armed. It is led by Patrice-Edouard Ngaïssona, whose candidacy was rejected by the transitional government.

## DEMOCRATIC FRONT OF THE CENTRAL AFRICAN PEOPLE (FDPC)

The FDPC first emerged in 2003 with the main purpose of overthrowing Bozizé's regime, then briefly joined the Seleka coalition in 2013. Its military stronghold is in western CAR, near the border with Cameroon. Currently, it does not have a specific political agenda.

## KEY DEVELOPMENTS IN 2018 – RENEWED CLASHES AND INCREASING INVOLVEMENT OF MINUSCA IN BANGUI

At the beginning of 2018, around 60,000 people fled northern CAR ending up in the town of Paoua to escape clashes between RJ under the command of Armel Ningatouloum Sayo and the MNL under the command of Mahamat Bahar,<sup>40</sup> thus provoking a humanitarian crisis in the sub-prefecture of Paoua. According to MINUSCA's investigations, members of RJ have intentionally killed civilians, specifically targeting the Muslim and Peuhl communities. The MNL, on the other hand, was believed to be responsible for the destruction of several villages north of Paoua and the resulting displacement of populations in such areas.<sup>41</sup> As a consequence, MINUSCA conducted an operation to oust the armed groups around Paoua in order to establish a secure area and enable the return of displaced populations.<sup>42</sup> Furthermore, in January 2018 the UNSC extended the CAR arms embargo against non-state actors<sup>43</sup>

40 MINUSCA, 'Minusca Denounces the Violence by RJ and MNL Armed Groups That Provoked a Humanitarian Crisis in the Sub-Prefecture of Paoua', Press Release, 20 January 2018, <https://minusca.unmissions.org/en/minusca-denounces-violence-rj-and-mnl-armed-groups-provoked-humanitarian-crisis-sub-prefecture> (last accessed 9 August 2018).

41 Ibid.

42 Ibid.

43 In December 2013, the UN Security Council unanimously adopted Resolution 2127 imposing an arms embargo on non-state actors in CAR, which has since been extended

for another year, threatening further sanctions.<sup>44</sup> In March 2018, a deadly confrontation between the anti-Balaka and elements of the UPC occurred in the village of Tagbara, located 70 km from Bambari, left an unspecified number of people dead and resulted in several injuries and significant displacement of the civilian population.<sup>45</sup>

During the night of 7–8 April 2018, following continued violence and abuses against civilians perpetrated by self-defence groups controlling the predominantly Muslim neighbourhood of PK5 in Bangui, MINUSCA and the FACA conducted a joint operation aimed at dismantling the militia bases in the area. This quickly turned into a violent fire confrontation between the UN stabilization mission and the armed groups,<sup>46</sup> resulting in at least 18 people dead, among whom was one peacekeeper, and 46 wounded.<sup>47</sup> On 11 April, protestors placed the bodies of 17 people who died during the fire confrontation in front of the UN headquarters in Bangui, claiming they were civilians killed by UN peacekeepers; a UN spokesman denied the accusations, arguing that they were armed criminals who had been targeting peacekeepers and government forces.<sup>48</sup> On 1 May 2018, at least 15 people, including a priest, were killed and 99 were injured in an attack directed against the Notre-Dame de Fatima church in Bangui, near the PK5 area. According to a MINUSCA spokesperson, violence renewed after a suspected member of a PK5 rebel group was arrested.<sup>49</sup> Furthermore, attacks against aid workers are drastically increasing. According to the UN Office for the Coordination of Humanitarian Affairs, from April to June 2018, 118 incidents affected humanitarian workers (including armed

robberies, murder and kidnapping), compared with 63 in the first quarter of the year.<sup>50</sup>

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On 15 November 2018, the UPC, together with large numbers of armed Muslim civilians, carried out an attack on an internally displaced people's camp in the town of Alindao in the Basse-Kotto region. According to a growing perception within the Muslim community, this camp was used by anti-Balaka fighters as

a refuge.<sup>51</sup> Between 70 and 100 camp residents including women, children, older people and people with disabilities have been killed and the UN peacekeepers mandated to protect civilian lives on the site have been harshly criticized for their failure to contain the violence.<sup>52</sup>

## WAR CRIMES ALLEGATIONS

CAR ratified the Rome Statute on 3 October 2001 and has twice referred the situation in its territory to the ICC.

The first ICC investigation in CAR (CAR I)<sup>53</sup> focused on alleged war crimes and crimes against humanity committed within the context of a NIAC between the government and rebel forces since 1 July 2002, with a peak of violence in 2002 and 2003. It has produced one main case against Jean-Pierre Bemba Gombo,<sup>54</sup> President and Commander-in-Chief of the Movement for the Liberation of Congo, also operating in CAR and allied with the then president, Ange-Félix Patassé, but he was acquitted on 8 June 2018 by a majority decision of the ICC Appeals Chamber, which reversed the Trial Chamber III's decision of 21 March 2016.<sup>55</sup>

The second ICC investigation in CAR (CAR II)<sup>56</sup> was opened in September 2014 and currently focuses on war crimes (i.e. murder, rape, pillaging, attacks against humanitarian missions and the use of child soldiers under 15) and crimes against humanity (i.e. murder, rape, forced

annually. It bans all supplies of arms and related material to the country except to its security forces, if previously approved by the relevant UN Sanctions Committee. See Stockholm International Peace Research Institute, 'UN Arms Embargo on the Central African Republic', [https://www.sipri.org/databases/embargoes/un\\_arms\\_embargoes/Central-African-Republic/un-arms-embargo-on-the-central-african-republic](https://www.sipri.org/databases/embargoes/un_arms_embargoes/Central-African-Republic/un-arms-embargo-on-the-central-african-republic) (last accessed 9 August 2018).

44 'UN Security Council Renews CAR Arms Embargo, Threatens More Sanctions', VOA News, 30 January 2018, <https://www.voanews.com/a/security-council-renews-central-african-republic-arms-embargo/4232352.html>.

45 O. Mbiko, 'Scores Killed in Renewed CAR Rebellion', *Caj News Africa*, 26 March 2018, <http://cajnewsafrica.com/2018/03/26/scores-killed-in-renewed-car-rebellion/>.

46 'Regain de tension à Bangui après le début d'une opération militaire contre des groupes armés', *Le Monde*, 9 April 2018, [https://mobile.lemonde.fr/afrique/article/2018/04/09/regain-de-tension-a-bangui-apres-le-debut-d-une-operation-militaire-contre-des-groupes-armes\\_5282835\\_3212.html](https://mobile.lemonde.fr/afrique/article/2018/04/09/regain-de-tension-a-bangui-apres-le-debut-d-une-operation-militaire-contre-des-groupes-armes_5282835_3212.html).

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48 'UN: Central African Republic Corpse Protest Was Propaganda', *BBC News*, 12 April 2018, <https://www.bbc.com/news/world-africa-43735333>.

49 'Bangui Church Attack: 15 Killed in Central African Republic', *BBC News*, 1 May 2018, [https://www.bbc.com/news/world-africa-43964817?intlink\\_from\\_url=https://www.bbc.com/news/topics/cdl8n2ede23/central-african-republic&link\\_location=live-reporting-story](https://www.bbc.com/news/world-africa-43964817?intlink_from_url=https://www.bbc.com/news/topics/cdl8n2ede23/central-african-republic&link_location=live-reporting-story).

50 N. Peyton, 'Attacks on Aid Workers Rise in Central African Republic', *Reuters*, 29 July 2018, <https://af.reuters.com/article/topNews/idAFKBN1KJ06N-OZATP>.

51 Amnesty International, 'Everything Was in Flames': The Attack on a Displaced Persons Camp in Alindao, <https://www.amnesty.org/download/Documents/AFR1995732018ENGLISH.PDF> (last accessed 16 December 2018).

52 Ibid.

53 See ICC, 'Central African Republic', ICC-01/05, <https://www.icc-cpi.int/car> (last accessed 9 August 2018).

54 See ICC, *The Prosecutor v Jean-Pierre Bemba Gombo*, ICC-01/05-01/08.

55 ICC, *The Prosecutor v Jean-Pierre Bemba Gombo*, Appeals Chamber, Judgment on the Appeal of Mr Jean-Pierre Bemba Gombo Against Trial Chamber's III 'Judgment Pursuant to Article 74 of the Statute', ICC-01/05-01/08 A, 8 June 2018.

56 See ICC, 'Central African Republic II'.

displacement and persecution) allegedly committed by both the Muslim Seleka coalition and Christian anti-Balaka groups in the context of renewed violence since 1 August 2012. The only case opened so far is against Alfred Yekatom, alleged commander of a group of 3,000 members which operated within the anti-Balaka movement.<sup>57</sup> Furthermore, on 12 December 2018, Patrice-Edouard Ngaïssona, leader of the National Coordination of the Ex-Anti-Balaka, was arrested by the French authorities pursuant to an ICC arrest warrant.<sup>58</sup>

On 3 June 2015, the then interim president of CAR, Catherine Samba-Panza, promulgated organic law 15/003 establishing the SCC, a hybrid tribunal integrated into the Central African justice system.<sup>59</sup> The SCC is authorized to investigate, prosecute and try serious human rights and humanitarian law violations (i.e. the crime of genocide, crimes against humanity and war crimes) allegedly committed in CAR since 1 January 2003. It officially launched its investigations on 22 October 2018.<sup>60</sup>

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<sup>57</sup> See ICC, Questions and Answers, Situation: Central African Republic, The Prosecutor v. Alfred Yekatom, [https://www.icc-cpi.int/itemsDocuments/181117-qa-yekatom\\_ENG.pdf](https://www.icc-cpi.int/itemsDocuments/181117-qa-yekatom_ENG.pdf) (last accessed 16 December 2018).

<sup>58</sup> ICC, 'Situation in Central African Republic II: Patrice-Edouard Ngaïssona Arrested for Crimes Against Humanity and War Crimes', Press Release, 12 December 2018, <https://www.icc-cpi.int/Pages/item.aspx?name=PR1425> (last accessed 16 December 2018).

<sup>59</sup> P. Labuda, 'The Special Criminal Court in the Central African Republic', 22 ASIL Insights 2 (22 January 2018), <https://www.asil.org/insights/volume/22/issue/2/special-criminal-court-central-african-republic> (last accessed 9 August 2018).

<sup>60</sup> 'RCA: inauguration de la Cour pénale spéciale', RFI Afrique, 23 October 2018, <http://www.rfi.fr/afrique/20181023-rca-justice-lancement-cour-penale-speciale-bangui-cps>.



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