

CENTRAL AFRICAN REPUBLIC (CAR)

STAKEHOLDER SUBMISSION TO THE UNIVERSAL PERIODIC REVIEW, 31ST SESSION

JOINT SUBMISSION BY CHRISTIAN SOLIDARITY WORLDWIDE AND CSW-NIGERIA

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INTRODUCTION

1. Christian Solidarity Worldwide is a human rights organisation specializing in freedom of religion or belief for all. This submission seeks to draw attention to the escalation of human rights violations in the Central African Republic (CAR).

2. During the last Universal Periodic Review (UPR), CAR received 178 recommendations, and accepted 177. Of the recommendations accepted, CAR already considered 81 to be implemented or to be in the process of implementation; the recommendations reflected the unconstitutional change of power during the Seleka Coup of March 2013.

SCOPE OF INTERNATIONAL OBLIGATIONS

3. Since the last review the State Party has acceded to a number of key human rights instruments.¹ There have also been some positive developments which include the completion of the national reconciliation process, the referendum on the new constitution, and both parliamentary and presidential elections.

4. However the security situation continues to be the most significant source of human rights violations which have persisted during the reporting period. The presence of increasingly divided armed groups in the territory is a threat to civilians and the continuity of civilian governance. Whilst a restive peace has been established in the capital Bangui, outside of the city the security situation remains volatile.

5. Recommendation: The State Party should ensure domestic legislation, policy and practice is consistent with, and reflects, its obligations under the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), and other international human rights treaties to which it is a signatory.

THE RIGHT TO LIFE, LIBERTY AND SECURITY OF PERSON

6. During the reporting period, violations of human rights have occurred against the backdrop of conflict which assumed a religious dimension in March 2013 when Seleka, a predominantly Muslim rebel coalition, took power in a coup, suspending the constitution, dissolving the government and National Assembly and installing one of its leaders, Michael Djotodia, as president. In September 2013, Djotodia officially disbanded Seleka; however, many rebels refused to disarm and sectarian violence increased. Sustained and severe human

rights violations eventually resulted in equally severe retributive violence following the emergence of anti-Seleka groups commonly referred to as 'anti-Balaka'. The emergence of the anti-Balaka in December 2013 led to violence targeting CAR's minority Muslim population, which a UN Commission of Inquiry described as ethnic cleansing. Although the anti-Balaka groups have been widely described as 'Christian militia', they are in reality composed of pre-existing village defence groups bolstered by former soldiers loyal to deposed President Bozizé, former Seleka fighters, angry youths seeking revenge for Seleka violations and common criminals.

7. In the country's turbulent political history, 2013 marked the first conflict where religion played a central role. The country previously had a strong interfaith tradition where it was common to find Muslims, Christians and animist within the same family unit. The conflict has significantly damaged social cohesion between religious communities.

8. In October 2014, violent clashes took place in the capital Bangui. At least 12 people, including two UN peacekeepers, were killed and property belonging to Christians was destroyed. Elements of both the Seleka and anti-Balaka were reportedly involved in the clashes and leaders of both groups called for the resignation of transitional President Catherine Samba-Panza and her Prime Minister, as well as the reinstatement of members of their groups to political positions. Anti-Balaka forces are reported to have threatened to fill the streets of Bangui until their demands are met. On 14 October 2014, President Samba-Panza's office issued a statement denouncing attempts by "a coalition of negative forces" to create a "third transition".

9. The situation in Bangui remained relatively peaceful until September 2015, when violent clashes started after the body of a young Muslim man was found in Bangui, leading to retributive violence along sectarian lines; Muslims targeted Christians, which subsequently descended into lawlessness with anti-Balaka groups establishing roadblocks in the capital and armed groups attacked peacekeeping forces. Local sources estimate between 100 and 200 were killed, with reports of corpses being dumped in water wells. The Malimaka dispensary, St Michael Roman Catholic Church in the PK5 district and a police station in the 5th arrondissement were looted and burned, causing the local population to flee. The violence occurred weeks ahead of national elections slated for October 2015, which were subsequently postponed.

¹ United Nations Office of the High Commissioner for Human Rights, Ratification status http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx



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10. In November 2016 clashes broke out between armed groups that had previously been part of the Seleka Alliance signalling a shift in the conflict. The Front Populaire pour la Renaissance de la Centrafrique (FPRC), comprising members of the Rounga and Goula ethnic groups, and the Union pour la Paix en Centrafrique (UPC), whose members are of the Fulani ethnic group, clashed after UPC reportedly seized cattle belonging to the Goula people in Bria on 21 November 2016, triggering a response from the FPRC that left eight people dead. A MINUSCA unit was present and separated the groups, enabling the UPC fighters to flee. The FPRC then allegedly singled out ethnic Fulani civilians, carrying out house-to-house searches, looting and abducting and killing residents. FPRC members also occupied hospital buildings, preventing wounded Fulani residents from receiving medical treatment. 85 people died, at least 76 were wounded and nearly 11,000 were displaced after the clashes.

11. On 7 March 2017, former Seleka group, UPC fighters, killed eight civilians looted and burned down houses in the town of Goubali. Clashes between the anti-Balaka and UPC fighters followed, resulting in 40 deaths and displacement of civilians. In eastern CAR, UPC fighters killed nine civilians including two children and burned homes between the 6 and 20 March 2017 causing civilians to flee. A clash between UPC and FPRC fighters on 30 March 2017 led to the deaths of 13 civilians and surrounding villages were displaced, seeking refuge in Guigui village.

12. On 2 May 2017 former Seleka rebels Retour, Réclamation et Réhabilitation (3R) executed nine men in a church in the town of Bouar. The following day the group claimed responsibility for the attack and asked villagers for forgiveness. Anti-Balaka factions have also clashed: in November 2016 two factions clashed in Bocaranga in the north west of the country, leading to the deaths of two people.

13. The anti-Balaka have also attacked individuals involved in peacebuilding and reconciliation between the Muslim and Christian communities. On 20 May 2016, anti-Balaka attacked an elderly man in his home in Berberati town. He was targeted because of his prominent role in peacebuilding efforts. In response to the incident the local community organised a demonstration. One protestor said, "We say no to this practice that destroys our city. We want peace and to live together. Any contrary [ideas] will not pass."

14. On Saturday 11 November 2017, a grenade exploded at a concert promoting peace and reconciliation talks between rival districts in Bangui. The incident also triggered reprisal attacks on Sunday 12 November that resulted in the deaths of eight people, while 20 were wounded.

15. Recommendation: The State Party should work towards disarming and demobilizing armed groups operating within its territory in order to ensure the right to life and security for all citizens.

FREEDOM OF RELIGION OR BELIEF (FORB)

16. CAR has experienced a number of conflicts and unconstitutional changes of power. However, the crisis in 2013 included sectarian violence which had not featured in previous conflicts. CAR is a secular and democratic state. The current constitution, adopted after a national referendum in December 2015, guarantees freedom of conscience, assembly, and worship.

17. Religious groups must register with the Ministry of the Interior. In order to do so, groups must meet certain requirements, which include having at least 1,000 adherents, and cannot hold fundamentalist or intolerant views. The constitutional provisions do not express the fuller definition of freedom of religion or belief (FoRB) as outlined in the Universal Declaration of Human Rights (UDHR) and international human rights treaties such as the ICCPR, to which CAR is a signatory.

18. Restrictions on the right to FoRB continue to be reported, and as with other human rights abuses, the main perpetrators are the Seleka and anti-Balaka. In parts of the country where the groups operate, the state's control is severely reduced. Both militias have created their own informal administrative structures and exert control over citizens with impunity. The anti-Balaka control considerable parts of the south-west of the country.

19. During the transition period attacks on places of worship were regularly reported. These included grenade attacks, home-made bombs thrown into church buildings during worship, looting and desecration of places of worship, and destruction of pharmacies, schools and other buildings delivering social services to local communities. Some were well-planned attacks, such as the one targeting IDPs in the compound of Church of Fatima in 2014, which was designed to cause maximum damage.²

20. Muslims were also affected by violence in Bangui during the transition period, as mosques were attacked and destroyed. In retaliation for the violence perpetrated by the Seleka against Christian and animist communities, anti-Balaka fighters targeted Muslims during their assault on Bangui in December 2013. The Central Mosque in PK5 was the main place of worship for the Muslim community during the transitional period, but prior to December 2015 Muslims living in other areas of the city were unable to participate in communal worship there due to security restrictions on their movements. While there are still security concerns for Muslims outside PK5, freedom of movement outside the area was restored following the visit of Pope Francis in November 2015, when he went to PK5 to address the Muslim community.

² France 24, 'Deadly rebel attack on church in Central African Republic', 30 May 2014 www.france24.com/en/20140529-central-african-republic-attack-catholic-church-rebels-inter-religious-violence

21. During the reporting period the government has taken steps to recognise dates in the Muslim religious calendar as national holidays. In September 2016 Eid festivities in Bangui were attended by President Touadéra, who was accompanied by high ranking members of government. The politicians visited the Bangui Central Mosque as a sign of solidarity and reconciliation.

22. Recommendation: The State Party should ensure that the constitution reflects the right to freedom of religion or belief as set out in the ICCPR.

RESTRICTIONS ON FREEDOM OF RELIGION OR BELIEF IN AREAS HELD BY SELEKA

23. In areas controlled by Seleka in the north of the country such as Kaka Bango, the local population lives under severe restrictions. Seleka imposes informal and ad hoc taxes on the movement of persons and goods. Muslims living in Seleka-controlled areas are also required to pay these illegal taxes. Some express frustration at the requirements, but others see it as a way of protecting their lives and business interests from the anti-Balaka.

24. Muslims have historically enjoyed great influence in trade and commerce, and over time, built strong networks within the country and surrounding nations. They are therefore able to draw on these networks and pool funds to pay Seleka's taxes. Christians and animists, on the other hand, tend to be subsistence farmers, producing only enough to feed their families and sell a small surplus for profit. This means they are less likely to be able to pay the taxes, and therefore unable to move freely. This prevents them from travelling to their farms, which are usually outside main residential areas, ultimately leading to increased food insecurity and vulnerability. The difference between the Muslim community's ability to respond to Seleka's demands compared to Christians and animists creates an atmosphere in which religious tensions can build. If left unaddressed this phenomenon may further erode the social fabric of these communities.

25. In Seleka-controlled areas, the threat of violence is ever present; those who refuse to comply with the group's demand are attacked, often fatally. Local sources have reported incidents of the Seleka killing farmers who were tending their land without permission or without having paid the requisite taxes. A church leader informed CSW of the impact of the pervasive sense of fear:

"It is not easy for the church to live and function and at different times there are still attacks, there are killings and executions which means the Christians are continuing to live in fear. Sometimes people flee to church buildings for refuge but they are pursued and killed there."

26. Attendance of religious meetings organised during the week or special events requires permission. Attendance of church services on Sundays has not been expressly forbidden; however, due to the restrictions on other activities, Christians have limited their meetings to Sundays.

RESTRICTIONS ON FREEDOM OF RELIGION OR BELIEF IN AREAS HELD BY THE ANTI-BALAKA

27. The anti-Balaka maintain their hold in the south-west of the country. In these areas there are very few Muslims left; those who remain live in enclaves and their freedom of movement is severely restricted. Although the anti-Balaka largely permit religious activities in areas they control – for example, Christians are generally free to worship and to share their faith in public and private – a number of Muslims have had to leave their homes. The Muslim communities that remain are able to worship as long as the local community can protect them.

28. The diamond-rich town of Carnot is an anti-Balaka stronghold. Due to sporadic but recurring violence, Muslims have fled their homes and taken refuge in the town's Catholic Church. The first group arrived at the church in February 2014. For their own safety they rarely leave the compound. Those who venture outside risk being identified and attacked by anti-Balaka. They group is therefore unable to travel to their places of worship for daily prayers and religious celebrations. The Catholic Church has attempted to accommodate their religious needs: the 500 men, women and children are permitted to carry out their daily prayer rituals on the premises.

29. Recommendation: The State Party must work to re-establish state authority and administration throughout the territory in order to prevent armed groups from restricting the right to FoRB.

RESTRICTIONS ON FREEDOM OF RELIGION OR BELIEF (FORB) FOR CONVERTS

30. One of the most vulnerable groups in relation to FoRB violations are those who have exercised the right to change beliefs. As mentioned earlier, prior to 2013 religion did not feature in the country's crises. With the advent of Seleka, religious identity became a central issue in the conflict. Those who converted from Islam to Christianity or vice versa were particularly vulnerable to the attacks of both armed groups if their conversion was believed to be forced, or were forced to lie about their religious identity.

31. Prior to 2013 social hostilities between religious groups was relatively low, and it was common within one family to have members espousing differing beliefs. While the constitution does not explicitly recognize the right to choose and change religion, there are no legal obstacle to changing religion or belief. However social hostilities between religious communities have increased, and converting to another faith now comes at a much higher risk, both for those choosing to change their faith and those who work to support them. A church leader who works with converts informed CSW in August 2016: "My wife suffered various threats because we work with

Muslims. They are friends of ours; some of whom [have converted to Christianity]. And that was not pleasing to the Muslims nor to the other side [anti-Balaka]. There were two occasions when they nearly killed my wife.”

32. Recommendation: the State Party must ensure that the freedom of change religion is guaranteed in law, and support peace and reconciliation projects that aim to rebuild trust between religious communities.

TARGETING OF RELIGIOUS LEADERS

33. Religious leaders have been targeted throughout the reporting period by armed groups affiliated with Seleka and anti-Balaka. Religious leaders from the Catholic, Evangelical and Islamic traditions have worked to set an example to the communities they represent by building peace and demonstrating interfaith unity in a bid to maintain peace and diffuse tensions between religious communities. The anti-Balaka often target religious leaders who protect Muslims in these areas. The militia have threatened the priest of Carnot’s Catholic church for protecting Muslims: “I found myself with 1,000 Muslims in the church; I have been targeted several times, put on my knees. I still remember the day the anti-Balaka came here, with about 40 litres of gas [petrol] on a motorbike in order to get through the fence and burn the concessions in case I didn’t hand the Muslims over to them. By letting myself be pushed around I convinced them not to assault the people.”

34. Groups affiliated with Seleka have also targeted religious leaders. On 16 April 2014 the Bishop of Bossangoa, Monsignor Nestor-Desire Nongo Aziagbia, was kidnapped along with three Catholic clergymen by Seleka militants. The clergymen were eventually released near the Chadian border after the intervention of the international community. In October 2014 eight men from the Seleka-aligned Democratic Front of the Central African People (FDPC) kidnapped a Catholic missionary in Baboua and demanded the release of their leader, Abdolaye Miskine, who was imprisoned in Cameroon in September 2013.³

35. Members of the national interreligious peace platform have also been targeted by armed groups. In September 2015 the home of Reverend Nicolas Guerekoyame-Gbangou, chairman of the Evangelical Alliance, was looted and burned. Armed attackers arrived at the house specifically asking for the pastor who was away from his home at the time. His family was able to escape but two people seeking refuge at the premises were killed. The incident has raised questions regarding the lack of security at Reverend Guerekoyame-Gbangou’s home, given his prominent role in peace building and reconciliation.

³ Christian Solidarity Worldwide, ‘Clergy continue to be kidnap targets’, 20 October 2014 www.csw.org.uk/2014/10/20/news/2505/article.htm

36. On 7 February 2017 three churches were burnt and a pastor was killed in the KM5 district of Bangui following the death of a gang leader at the hands of MINUSCA and the police. On 11 February 2017 FPRC leader General Zoundeko was killed near Bambari, and several churches in the Ouham area were set on fire in reprisal.⁴

37. Recommendation: The State Party must ensure that protection is extended to key religious and community leaders working on peacebuilding and reconciliation initiatives who have been targeted by armed groups.

ACCESS TO JUSTICE AND IMPUNITY

38. An important part of rebuilding the state and the peace and reconciliation efforts is securing justice for victims of human rights violations. Grave violations have been committed since 2013. During the Bangui Forum in 2015, which was widely considered a key moment of national reconciliation, parties agreed to address serious and longstanding violations of international humanitarian and human rights law. MINUSCA was mandated by the UN Security Council to undertake a mapping exercise recording violations of human rights since 2003.⁵

39. The Transitional Government created the Special Criminal Court in June 2015 to try those accused of having committed serious crimes since January 2003. Furthermore the government continues to cooperate with the International Criminal Court (ICC), and has referred the situation in CAR to the ICC, which is investigating whether charges can be brought. On 21 March 2018 ICC Prosecutor Fatou Bensouda visited Bangui to coordinate with the judges and staff of the SCC.

40. Despite these positive steps, the SCC is not yet operational. International judges and support staff have taken up their positions, but the court’s prosecutor, Toussaint Muntazini Mukimapa, announced that investigations would begin in April 2018. Victims have been waiting for justice since 2013 and in certain cases since 2003. It is vital that justice mechanisms are implemented immediately to bring an end to impunity and provide justice to all victims.

41. Recommendation: The State Party must prioritise operationalising the Special Criminal Court, and provide the necessary resources for the court to exercise its duty.

DISPLACEMENT AND TARGETING OF HUMANITARIAN WORKERS AND PEACEKEEPERS

42. In an attempt to facilitate peace, the CAR government signed a peace agreement with the majority of armed groups in June 2017. But within days of signing it, hundreds of civilians were displaced as fighting broke

⁴ Christian Solidarity Worldwide, ‘CAR UN expert calls for end to impunity’, 24 March 2017 www.csw.org.uk/2017/03/24/press/3488/article.htm

⁵ United Nations Office of the High Commissioner for Human Rights, Central African Republic: Mapping human rights violations 2003-2015 www.ohchr.org/EN/Countries/AfricaRegion/Pages/CARProjetMapping2003-2015.aspx

out between armed groups. Over 40,000 were displaced in CAR's eastern region in the months that followed.

43. Between February and August 2017 the number of internally displaced persons (IDPs) rose by over 191,000 people. In the north eastern city of Bria regular clashes between armed groups led to the population being displaced repeatedly. Between September and November 2017 the number of IDPs rose by 24% to 35,499.

44. Fighting in the central east region of CAR spread from clashes that began in Bangassou in early 2017. In November 2017 over 17,000 newly displaced persons were registered around Dimbi-Kembe-Pompolo. In Kaga Bandoro 20,000 IDPs settled in an impromptu camp around a MINUSCA base after Seleka groups attacked a formal IDP camp in 2016. The camp was relocated between October and November 2017.

45. In the north west, close to the border with Chad, 65,000 people have been displaced since 27 December 2017 as former Seleka National Movement for the Liberation of the Central African Republic (MNCL) attacked civilians. The majority of IDPs sought refuge in the town of Paoua, which has a population of and resources for 40,000 people. The arrival of an extra 65,000 people will strain resources greatly and may ultimately cause a rise in tensions between the host community and IDPs.

46. The clashes have also hindered humanitarian access, and there have been deliberate attacks on humanitarian workers. On 7 September 2017 a targeted attack on humanitarian workers in Batangafo town led to NGOs withdrawing local and national staff and suspending the majority of their programmes. The decision left over 28,000 people in need of emergency assistance.⁶

47. On 4 October 2016, the head of CAR's armed forces, Marcel Mombeka, was assassinated as he drove through PK5 district, a predominantly Muslim neighbourhood in Bangui, leading to a rapid response by MINUSCA to prevent further violence and displacement. On 8 May 2017 anti-Balaka attacked a convoy of MINUSCA peacekeepers killing five and injuring ten. It was the most deadly attack on the peacekeepers since 2014.

48. Recommendation: The State party should work towards ensuring the territorial integrity of the nation, establish state administration in all parts of its territory and work in collaboration with the UN Peacekeeping Mission to demobilise, disarm and reintegrate all armed groups operating in the territory.

6 ReliefWeb, 'Central African Republic - Complex Emergency Fact Sheet #6, Fiscal Year (FY) 2017', 30 September 2017 <https://reliefweb.int/report/central-african-republic/central-african-republic-complex-emergency-fact-sheet-6-scal-1>