

**CENTRAL AFRICAN
REPUBLIC:
IMPUNITY IS
FUELLING
VIOLENCE**

**AMNESTY
INTERNATIONAL**



Amnesty International Publications

First published in December 2014 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications December 2014

Index: AFR 19/011/2014
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

All rights reserved. This publication is copyright, but may be reproduced by any method without fee for advocacy, campaigning and teaching purposes, but not for resale. The copyright holders request that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for reuse in other publications, or for translation or adaptation, prior written permission must be obtained from the publishers, and a fee may be payable. To request permission, or for any other inquiries, please contact copyright@amnesty.org

Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

**AMNESTY
INTERNATIONAL**



CONTENTS

Introduction	5
Same perpetrators, more victims	7
‘Colonel Douze Puissances’ and the attack on Nguingo	7
Patrice-Edouard Ngaissona and the October 2014 attacks in Bangui.....	8
Ongoing impunity	8
The case of Lévy Yakété	9
The lack of political will remains a major obstacle	10
Some positive steps.....	111
Other initiatives of the members of the international community	122
Conclusion and recommendations.....	144

INTRODUCTION

The deployment of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), on 15 September 2014,¹ raised hopes for positive change. The new UN force offers an important opportunity for protecting civilians, ending impunity for serious human rights abuses, and, ultimately, putting an end to a conflict that has killed thousands of people, displaced hundreds of thousands more, and destroyed countless villages since December 2013.

Yet despite the deployment of peacekeeping forces, October 2014 saw a significant upsurge in violence both in Bangui and across the country, with dozens of civilians killed, thousands displaced, and several villages burnt. With just two-thirds of the 12,000 promised forces deployed by the end of November², MINUSCA is struggling to protect civilians against the rising tide of conflict³.

Whilst calling for the deployment of a robust and effective peacekeeping mission, Amnesty International has also highlighted the need to tackle one of the most significant drivers of the conflict – the widespread impunity across the country. Perpetrators of serious human rights violations and abuses are seldom held accountable or brought to justice. The difficulties faced by international and national security forces to stem the rising tide of violence in parts of CAR has been documented by Amnesty International and denounced by the organization's numerous reports published since November 2013⁴. The need to strengthen the capacity, particularly the reactive capability, of international forces is clear. Yet even with greater forces intervening more effectively, it is also clear that the violence will not end without progress in tackling impunity now.

In July 2014, Amnesty International released the report 'Central African Republic: Time for Accountability'⁵ to highlight the fact that impunity for serious crimes—including war crimes and crimes against humanity—was fuelling the violence in CAR. The report, which focused mainly on crimes committed between December 2013 and May 2014, named individuals from all sides of the conflict, including members of anti-balaka, Séléka and their respective allies, suspected of perpetrating serious human rights violations and abuses during that period.

A cessation of hostilities agreement was signed in Brazzaville, Republic of Congo, in July 2014 by the representatives of the two principal armed factions in CAR, the ex-Séléka and anti-balaka, and witnessed by civil society organizations, political parties, faith leaders and representatives of the international community, including the United Nations (UN) and the African Union (AU)⁶. The agreement was seen by the international community as an important step marking the beginning of a political process in CAR, but its implementation on the ground proved difficult. In a number of its articles, the agreement refers to human rights violations and abuses committed in the country and stipulates *inter alia* that all parties will abstain from all forms of violence against civilians, including serious human rights abuses such as summary executions, torture, arson, looting, arbitrary arrests and illegal detention, the recruitment and use of child soldiers and sexual violence. Yet all these abuses continue.

In late October and early November 2014, Amnesty International researchers undertook a mission to CAR to investigate progress towards accountability for human rights violations and abuses committed in the country. Interviews were carried out with over thirty individuals from national human rights organisations, UN personnel, and international humanitarian organisations staff, national authorities, including the Bangui Prosecutor and faith groups, including Muslim and Christian leaders. Researchers also visited the Ngaragba and Bimbo prisons situated in the south and the north outskirts of the capital Bangui respectively and met with the prison authorities and inmates. The delegates also visited a number of sites for Internally Displaced Persons (IDPs) across the city and conducted interviews with the displaced persons hosted there.

The conclusions of Amnesty International's October/November 2014 fact-finding mission are stark: many of those suspected of involvement in committing crimes under international law and other serious human rights violations and abuses in CAR in October 2014 had already been suspected of committing such violations and abuses in the past, especially since December 2013. Most of them appear to have so far escaped investigation, prosecution or punishment.

SAME SUSPECTS, MORE VICTIMS

As suggested by the UN Panel of Experts on CAR⁷, the lack of accountability for human rights violations is facilitating a cycle of impunity and violence where armed violence is incentivised by increasing access to political power, or the control of resources.⁸ A number of those suspected of being responsible for the most recent crimes under international law and serious human rights violations and abuses, including in Bangui in October 2014 are among those that Amnesty International identified in its July 2014 report as possible suspects in the commission of crimes under international law between December 2013 and May 2014. Some of them are still living in Bangui and regularly attend public meetings, including within the transitional authorities and members of the international community. It is important that individuals suspected of committing crimes under international law are promptly investigated, and where there is sufficient credible evidence, brought to justice in trials that respect international trial standards, and are not subject to the death penalty.

‘COLONEL DOUZE PUISSANCES’ AND THE ATTACK ON NGUINGO

On 14 October, in the Bangui neighbourhood of Nguingo, in the Ouango area an attack by dozens of anti-balaka members, armed with Kalashnikovs, grenades and machetes, killed three civilians, badly injured at least 20 more, and burned down some 28 houses and a church. This was a revenge attack on the neighbourhood for an earlier assault on some of their members by the local population following a previous attack the armed group had carried out in the area.⁹ Over 1,000 people fled across the Ubangui River to the neighbouring Democratic Republic of Congo (DRC)’s Equator province to escape the violence, while a hundred or so more took refuge at a nearby Catholic Church compound. Amnesty International received credible information from survivors and other witnesses that the arrival of the Congolese contingent of MINUSCA halted the killings and prevented a massacre.

According to multiple sources including survivors and witnesses interviewed by Amnesty International in Bangui, these attacks were led by an anti-balaka commander nicknamed ‘Colonel Douze Puissances’ along another anti-balaka commander nicknamed “Andilo”¹⁰. The alleged roles of both individuals in a series of attacks against civilians in many parts of the country have previously been documented by various organizations including Amnesty International¹¹. According to the UN Panel of Experts on CAR “Andilo is a feared and powerful commander of the anti-balaka” and “civilians in Boy Rabe neighbourhood of Bangui have been complaining constantly of various abuses including racketeering and extortion committed by Andilo and his group of anti-balaka elements”¹².

A joint operation to arrest Andilo was conducted at the end of October 2014 by the French soldiers of the Sangaris military operation and members of the special investigation team of the gendarmerie in the Boy Rabe area of Bangui. Although the operation failed, some individuals suspected of being members of his group were arrested and transferred to the Bangui central prison. At the end of November 2014, CAR authorities told Amnesty International that the search for these individuals and many other members of the armed groups continues.

ALFRED YEKATOM, ('RAMBO') AND THE 29 OCTOBER ATTACK IN BIMBO

The local gendarmerie of the Bangui suburb of Bimbo was attacked on 29 October 2014 by a group of armed anti-balaka members reportedly commanded by Alfred Yekatom, alias 'Rombhot' or 'Rambo'.¹³ This individual, who often publicly presents himself as the head of the "high command of the anti-balaka in the provinces of Ombella M'poko and Lobaye" was previously identified by Amnesty International¹⁴ and the UN Panel of Experts¹⁵ as being a possible suspect in the commission of crimes under international law, including killing of civilians and recruitment of child soldiers. Amnesty International has spoken to over 20 residents of Mbaiki, a town 105 kilometres southwest of Bangui, who have independently identified Alfred Yekatom as being responsible for coordinating anti-balaka groups in the town and who also said have witnessed killings of civilians that 'Rambo' either committed himself or ordered between December 2013 and May 2014¹⁶.

Yekatom was briefly arrested by the French Sangaris forces on 23 June 2014. On 4 August 2014 he released from the ranks of his armed group 153 children whom he had recruited and had been using as fighters and handed them over to the United Nations Children's Fund (UNICEF) through a local non-governmental organization during a ceremony attended by local officials in the town of Mbaiki. While Amnesty International welcomes the release of the children, this does not absolve anyone of their criminal responsibility for recruiting child soldiers. It is important that "Rambo" is investigated for his potential criminal responsibility for recruiting child soldiers.

PATRICE-EDOUARD NGAÏSSONA AND THE OCTOBER 2014 ATTACKS IN BANGUI

Patrice-Edouard Ngaïssona, of the anti-balaka group called *Coordination nationale des libérateurs du peuple centrafricain* (CLPC), also known as the *Mouvement des patriotes anti-balaka*, remains the main coordinator of the anti-balaka forces in CAR¹⁷. He currently resides in Boy Rabe in Bangui with some members of his armed group and is in regular contact with the transitional authorities and members of the international community. In its July 2014 report, Amnesty International expressed its concern that this individual could have been involved in various crimes under international law committed between December 2013 and May 2014 in CAR and called for his investigation. In one incident, Patrice-Edouard Ngaïssona was briefly arrested on 17 April 2014 and questioned by the office of the Prosecutor but was released the same day¹⁸. According to sources, no further action was taken against him by the transitional authorities to investigate his involvement in crimes under international law committed in CAR. According to various reliable sources, including transitional authorities and local United Nations personnel, he coordinated some of the anti-balaka groups that were involved in the violence, including actions targeted at civilians, which erupted in Bangui and beyond in October 2014 in which several civilians were killed and others injured.

ONGOING IMPUNITY

There has been limited progress in opening investigations into senior leaders of armed groups suspected of serious human rights violations, some of whom were named in

Amnesty International's July 2014 report. Some are still involved in the on-going violence in various parts of the country including in the capital Bangui. This includes coordinating the activities of the members of their armed groups on the ground in CAR. Others are still living freely in other countries. Amnesty International is not aware of any action taken by the authorities of these countries to investigate possible crimes under international law and serious human rights violations and abuses committed by these individuals in CAR.

A number of anti-balaka members and commanders who were arrested on suspicion of various crimes under international law but escaped prison since the start of the year remain at large; some of them are still living in Bangui. On 6 March 2014, 10 anti-balaka members forced their way out of the Bangui prison. On 28 March, at least 9 other anti-balaka detainees escaped the same prison. Lieutenant Yvon Konaté, a former member of the Central African army (FACA) and anti-balaka commander who was arrested in February 2014 on suspicion of committing serious crimes, including killings and lootings in Bangui, left the prison after he was allowed by the prison authorities to visit family members in Bangui. Amnesty International has also learnt that he is widely known to be living in Bangui, including by CAR transitional authorities and members of the international community. Amnesty International is not aware of any further steps taken by the CAR transitional authorities and the UN¹⁹ to interview him or investigate allegations against him further.

The conditions and security of Bangui's main site of detention – Ngaragba prison – have been a concern previously raised by Amnesty International, with repeated "prison breaks" highlighted in its July 2014 'Time for Accountability' report as a significant barrier to ensuring accountability for serious crimes through the justice system²⁰. When an Amnesty International delegate visited the prison on 3 November 2014, 584 prisoners were registered, including 26 minors, in a prison whose stated capacity is for 500 adults. At the end of November, more than 650 inmates were held there, including civilians, members of the Séléka and the anti-balaka as well as other suspected criminals. Prisoners are forced to spend the night in cramped cells, and there is a clear lack of adequate sanitation and mosquito nets to protect against malaria. At night the prisoners defecate in plastic bags, which they throw out into a space outside prison the following morning, jeopardizing their own health and that of people living in the neighbourhood of the prison. The prison is not secure or safe despite being run and guarded by members of the FACA, with support from a MINUSCA contingent.

On 24 November 2014 a riot erupted at Ngaragba prison. Some of the detainees suspected of being members of the anti-balaka, armed with at least three Kalashnikovs rifles and hand grenades²¹, attacked the guards and the UN contingent guarding the prison premises. According to various witnesses, at least one UN peacekeeper and 13 inmates were wounded. The riot followed the death of a detainee allegedly for lack of medical treatment and harsh detention conditions. The detainees also demanded that their cases be heard in reasonable time, with some complaining of having been in detention for 10 months without trial²².

THE CASE OF LÉVY YAKÉTÉ

On 9 May 2014, Lévy Yakété was sanctioned by the United Nations Security Council for "ordering the arrests of people connected to the Séléka, calling for attacks on people who do not support President Bozizé, and recruiting young militiamen to attack those hostile to the

regime with machetes...” He was also suspected of “promoting the distribution of machetes to young unemployed Christians to facilitate their attacks on Muslims”²³. He was residing in France at the time he was sanctioned.

In its July 2014 report, Amnesty International named Lévy Yakété among the anti-balaka leaders who it believes should be investigated for possible involvement in crimes under international law committed in CAR, including for the reasons mentioned by the United Nations sanctions committee.

During a meeting with Amnesty International’s representatives at the beginning of November 2014, the French authorities said that Lévy Yakété had left France and travelled to an African country. They explained that they interpret their obligation towards implementing the UN sanction against Yakété as only a duty of restricting his re-entrance to France as opposed to restricting his movement to travel out of France. The French authorities previously informed the United Nations Panel of Experts on CAR that they were studying measures to restrict Lévy Yakété’s movements in the Schengen area²⁴.

On 15 November 2014, Lévy Yakété was killed in a road accident in France. His death was confirmed by the French authorities who had previously told Amnesty International that he had left the country and would not be allowed to re-enter France in application of UN sanctions against him.

THE LACK OF POLITICAL WILL REMAINS A MAJOR OBSTACLE

Transitional authorities in CAR, including the President and the Prime Minister, remain reluctant to ensure that those suspected of involvement in crimes under international law and serious human rights violations and abuses – especially prominent leaders of armed groups - are investigated and tried. The fear of provoking greater insecurity seems to be one factor inhibiting their immediate investigation and possible prosecution, although political considerations may be more significant. Amnesty international believes that there cannot be long-lasting peace in CAR if impunity for human rights violations and abuses persist in the country. On many occasions, including during meetings, the organization has called on the transitional authorities and members of the international community, including the UN, to ensure that human rights are put at the heart of any peace discussions or political dialogues.

Far from sending a strong message that serious human rights violations would not be tolerated, the CAR authorities have taken some actions that suggest the contrary. Following the recent violence in Bangui, for example, anti-balaka leaders, including Patrice-Edouard Ngaïssona, demanded the release of four high-level anti-balaka members who were arrested by soldiers of the French military operation Sangaris in mid-September 2014 and detained in Bangui prison, as a condition for negotiations towards restoring order. The case of these suspects had been transferred to the Bangui prosecutor who had charged them of “illegal possession of firearms”. Despite initially agreeing to release the prisoners,²⁵ this decision was reversed and the four suspects remain in prison as of November 2014.

SOME POSITIVE STEPS

International and national actors have taken some steps to tackle impunity in CAR. For instance, the courts have started working in Bangui and are beginning to hear some cases, and a few magistrates are receiving personal protection from MINUSCA. The fact that MINUSCA has provided bodyguards to the Bangui prosecutor and a few other magistrates, both at home and at work, is a new and positive development. Progress remains fairly limited in practice, however, as most of the courts across the country are still not operational. In some cases the buildings are occupied by armed groups, such as the case of the Séléka group known as the Union for Peace in Central Africa (UPC) in Bambari²⁶.

A growing number of lower-ranking members of armed groups have also been arrested pending investigations, especially since October 2014, on allegations of killings, possession of illegal weapons, arson and theft. But many of them had not been formally charged by the end of November 2014²⁷. There were some limited efforts to start investigations into suspected crimes under international law committed by those in custody, and several attempts, albeit failed ones, to arrest others as in the case of Rodrigue Ngaïbona, also known as 'Andilo', a senior anti-balaka commander. The operation to arrest him failed but the operation was successful in arresting some of his suspected associates.

International donors, including the European Union, have been funding the rehabilitation of both Bangui's Ngarangba and Bimbo women's prisons. MINUSCA corrections officers have also started visiting the prisons²⁸.

On 7 August 2014, a Memorandum of Understanding was signed between MINUSCA and the Government of CAR to "establish a Special Jurisdiction created by national legislation, in which international judicial and prosecutorial executive functions would be attached to a national judicial body".²⁹ However, legislation for the "Special Criminal Court" is yet to be passed and no funding has been provided for this important body.

OTHER INITIATIVES BY MEMBERS OF THE INTERNATIONAL COMMUNITY

On 7 February 2014 the Prosecutor of the International Criminal Court (ICC) announced that her Office was opening a new preliminary examination into the situation in the country since September 2012. In parallel, on 30 May 2014, CAR Transitional President sent a letter of referral to the ICC prosecutor in which she requested that the office of the prosecutor open an investigation into crimes falling within the jurisdiction of the ICC and which have allegedly been committed on the CAR territory since 1 August 2012. In a report dated 24 September 2014, the office of the prosecutor of the ICC addressed the situation in the Central African Republic and announced its conclusion that there was a reasonable basis for the office of the prosecutor to investigate crimes under the Rome Statute committed in CAR since September 2012. This decision is an important step towards addressing longstanding impunity in the country.

On 29 October 2014, the UN Panel of Experts on CAR released its final report in which evidence of crimes under international law committed by various armed groups including the anti-balaka and Séléka is highlighted³⁰. The report also referred to the exploitation of natural resources, including diamonds, gold and timber by armed groups; the illicit transfer of arms and ammunition to armed groups; arms proliferation; and violations of international humanitarian law, including attacks on schools and hospitals, sexual violence and recruitment and use of child soldiers.

The International Commission of Inquiry in CAR is now fully operational with three commissioners³¹ involved in its work. The final report of the Commission is expected on 5 December 2014. The International Commission of Inquiry was set up by the UN Secretary-General at the request of the Security Council through resolution 2127 (2013); "in order immediately to investigate reports of violations of international humanitarian law, international human rights law and abuses of human rights in CAR by all parties since 1 January 2013, to compile information, to help identify the perpetrators of such violations and abuses, point to their possible criminal responsibility and to help ensure that those responsible are held accountable, and calls on all parties to cooperate fully with such a commission"³². In its July 2014 report Amnesty International expressed concerns over the work of the commission in case it did not receive adequate resources and technical support from the United Nations to effectively implement its mandate and carry out its activities³³. The organization reiterates these concerns and calls for more support from the UN and other members of the international community for this important body.

Hervé Ladsous, head of the UN Department of Peacekeeping Operations confirmed on 16 September 2014 that the UN will help CAR authorities to restore the country's rule of law by providing the needed expertise³⁴. He also confirmed that accountability for human rights violations and abuses is at the heart of the mandate of the UN mission in CAR. Also, MINUSCA's mandate includes providing support to the principles of international and national justice and the rule of law by helping to build the capacities of the national judicial system and national human rights institutions in order to bring to justice those responsible for crimes under international law as well as serious human rights violations and abuses committed in CAR. Both the human rights and the rule of law divisions of MINUSCA should

play a key role in ensuring that this mandate is implemented. According to MINUSCA, most of the recruitment to staff these divisions is still ongoing. But the slowness of the deployment of the mission's civilian personnel, including for those two crucial divisions and other departments of the mission, could jeopardize any efforts to ensure this objective is reached by the international community through the work of the MINUSCA.

CONCLUSION AND RECOMMENDATIONS

CAR transitional authorities, with the assistance of the international community, including MINUSCA, must ensure that there is an end to impunity for serious human rights abuses committed by anti-balaka, Séléka and their allies and still being committed across CAR, including in the capital Bangui. It is clear from the on-going conflict that the lack of accountability for current and previous suspected crimes is fuelling violence in the country.

As a matter of urgency, it is important to start investigations into alleged crimes under international law committed in CAR. Most principal suspects reside at well-known addresses in Bangui and other parts of the country. The transitional authorities should also desist from appointing individuals suspected of crimes under international law to positions that they might use to either commit other violations and abuses or prevent any investigation of themselves or their allies. Suspected individuals already holding such positions should be suspended pending investigations.

Both MINUSCA and the CAR transitional authorities must continue to take steps towards the strengthening of the rule of law and the administration of justice in CAR to ensure that the country is able to investigate and hold to account those suspected of criminal responsibility for crimes under international law. They must also ensure the quick implementation of the proposed Memorandum of Understanding they signed on 5 August 2014 towards creating a “Special Criminal Court” to “investigate, prosecute and bring to trial serious crimes, including among others, serious abuses of human rights and serious violations of international humanitarian law, including sexual violence related to the conflict and serious violations of children’s rights, such as the recruitment and use of children in conflicts, which constitute a threat to the peace, stability and security of the Central African Republic”. This initiative was taken within the framework of “urgent temporary measures” proposed by Resolution 2149 (2014) of the Security Council. It is urgent the Court is allocated sufficient resources including adequate national and international staff, security and logistic support to this body. Amnesty International also calls on the CAR authorities to enact, in consultation with MINUSCA and civil society organizations, legislation that creates an impartial, independent and effective “Special Criminal Court”. Emphasis must be given to ensuring that both national and international staff are independent of the executive and are protected from interference from the various militias in the country. Special measures must be taken to rebuild the investigatory and prosecutorial capabilities of the CAR authorities. It is also important to encourage mobile courts in remote areas, if the situation permits.

MINUSCA must ensure there is enough security for national law enforcement and judicial bodies and personnel, including at the Bangui central prison in order to accommodate high profile detainees. Judicial actors including judges, prosecutors and lawyers, especially those working on cases involving armed groups’ leaders, need to be provided with adequate physical security at home and work.

The Office of the Prosecutor of the ICC should start investigations *in situ* as soon as possible. In doing so the OTP and other components of the ICC must ensure that the

protection of the victims, witnesses and other individuals providing information to the OTP and the ICC, including human rights defenders, journalists and local religious leaders, is at the heart of the court's investigation strategy on CAR.

¹ MINUSCA became operational on 15 September 2014 with the re-hatting of approximately 6,000 African Union forces to UN blue helmets to be deployed throughout the Central African Republic territory. These forces will work together with ongoing international military operations including the French mission known as Sangaris, men and EUFOR-RCA, an EU military operation mandate was extended until March 2015 by resolution 2181 (2014) adopted by the Security Council at its 7280th meeting on 21 October 2014. Available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2181%20 (accessed in November 2014).

² "As at mid-November, some 7,451 military personnel, or approximately 74 per cent of the total authorized military strength of 10,000 troops, and 1,083 police personnel, or approximately 60 per cent of the total authorized police strength of 1,800, had been deployed to MINUSCA. In addition, 177 of 440 staff officers and military observers (approximately 40 per cent) and 99 of 400 individual police officers (approximately 25 per cent) had also been deployed", Report of the UN Secretary- General on the situation in the Central African Republic, S/2014/857, para59, p. 14, 28 November 2014

³ For information related to the mandate and the work of MINUSCA, please consult <http://www.un.org/en/peacekeeping/missions/minusca/documents.shtml>.

⁴ These reports can be found at <http://www.amnesty.org/en/region/central-african-republic>.

⁵ Amnesty International, "Central African Republic: Time for Accountability", AFR19/006/2014, July 2014. The report is available at <http://www.amnesty.org/en/library/info/AFR19/006/2014/en>.

⁶ *Accord de cessation des hostilités en République centrafricaine*, 23 juillet 2014, articles 2 and 5. The document is available at <http://www.peaceau.org/uploads/accord-cessation-hostilite-brazzaville-juillet-2014- Séléka-balaka-merged-2222.pdf>

⁷ The UN Panel of Experts on the Central African Republic was established pursuant to Security Council resolution 2127 (2013) of 5 December 2013 for an initial period of one year. The panel released its final report on 29 October 2014. It previously published another report on 1 July 2014. The role of the Panel is *inter alia* to provide the UN Sanctions Committee with information relevant to the potential designation at a later stage of individuals who may be engaging in activities that undermine peace in CAR and to "gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in this resolution, in particular incidents of non-compliance".

⁸ "...competition among political representatives of armed groups for ministerial positions, as well as among military commanders for control of resources, accounts for the recent infighting between former components of the Séléka and anti-balaka rival factions. The appointment to the post of Minister of Youth and Sports in the new transitional cabinet of the leader of an armed group called *Révolution et justice* reinforces the prospect that being the commander of a politico-military movement could lead to top governmental positions and therefore validates the strategy of political spoilers.", Report of the UN Panel of Experts on the Central African Republic, S/2014/762 29October 2014, p. 1.

⁹ Central African Republic: Fear and Loathing in Bangui, 24 October 2014, accessible at <http://livewire.amnesty.org/2014/10/24/central-african-republic-fear-and-loathing-in-bangui/>.

¹⁰ Rodrigue Ngaïbona uses several aliases and nicknames. See the Final Report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127(2013), S/2014/762, 29 October 2014, para.50, p. 14. He was not named in Amnesty International's July 2014 report.

¹¹ See Amnesty International, CAR: Time for accountability, op cit. p.23.

¹² Final Report of the Panel of Experts, op. cit., p.23.

¹³ Various spellings of this nickname exist. The UN Panel of Experts on CAR uses "Rombhot". In Amnesty International's report of July 2014, "Rambo" was used instead. An Amnesty International delegation that visited Bimbo at the beginning of November 2014 also learnt that an anti-balaka group led by 'Rambo' attacked the neighbourhood's gendarmerie, overcoming the gendarmes on duty, stealing equipment and freeing at least five prisoners who were detained in the gendarmerie cells. While no one was killed or injured in the attack, it shows the inability of local security forces to protect the civilian population against attacks by armed groups in their area. Gendarmes at Bimbo told Amnesty International that they had only two guns between around 13 men and women on duty at any one time. They said that they fear for their lives and those of their family members as they could not protect themselves against attack from anti-balaka or other armed groups.

¹⁴ Amnesty International, "CAR: Time for accountability", p.22

¹⁵ Final report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127 (2013), S/2014/762, 29 October 2014, para. 73, 75 and 183. Report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127 (2013), S/2014/452, 1 July 2014, annex 5.4.

¹⁶ Amnesty International, "CAR: Time for accountability", *idem*.

¹⁷ See the structure of the political and military branches of CLPC of Patrice-Edouard Ngaïssona in the Final UN Panel of Experts on CAR report, S/2014/762, p.19.

¹⁸ Amnesty International, "CAR: Time for accountability", *op.cit*, p.13

¹⁹ The MINUSCA mandate includes "to Support for national and international justice and the rule of law (i) To support and work with the Transitional Authorities to arrest and bring to justice those responsible for war crimes and crimes against humanity in the country, including through cooperation with States of the region and the ICC;" see Resolution 2149 (2014), S/RES/2149 (2014), adopted by the Security Council at its 7153rd meeting, on 10 April 2014 available at [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2149\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2149(2014)) (accessed on 1 December 2014)

²⁰ *Idem*, p.11.

²¹ Following this incident, the Bangui prosecutor announced that he has launched an investigation to determine how the prisoners were able to get hold of firearms and grenades within the prison.

²² See also Voice of America, Prisoners Take Over Jail in CAR Capital, 24 November 2014, available at <http://www.voanews.com/content/prisoners-take-over-ngaragba-jail-in-car-capital/2535484.html>.

²³ See <http://www.un.org/sc/committees/2127/CI.003.shtml>.

²⁴ Report of the Final UN Panel of Experts on CAR, S/2014/762, 29 October 2014, op cit., para. 221 p.54

²⁵ Discussion with various individuals including CAR judicial authorities and United Nations officials.

²⁶ See Amnesty International, Central African Republic: Urgent action needed to tackle escalating violence in the central regions, AFR 19/010/2014, 6 November 2014, p.2.

²⁷ According to the transitional authorities this is due to the limited capacity of the office of the prosecutor and the courts.

²⁸ Amnesty International met and held discussions with some of them at the prison on 3 November 2014.

²⁹ See Report of the United Nations Secretary General on the situation in Central African Republic, 1 August 2014, S/2014/562, para. 55, p 13. The report is available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/562

³⁰ Final report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127 (2013), S/2014/762, 29 October 2014

³¹ In August 2014, Philip Alston was appointed as the third member of the International Commission of Inquiry on CAR.

³² Resolution 2127 (2013) adopted by the Security Council at its 7072nd meeting, S/RES/2127 (2013), 5 December 2013, para.24.

³³ Amnesty International, "CAR: Time for accountability", p.36.

³⁴ See also <http://webtv.un.org/watch/herv-ladsous-dpko-on-central-african-republic-press-conference-26-september-2014/3809731619001>.

AMNESTY
INTERNATIONAL



www.amnesty.org