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**OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION
(IPHRC)**

REPORT ON:

**THE HUMAN RIGHTS SITUATION IN
THE CENTRAL AFRICAN REPUBLIC
(CAR)**

**PRESENTED TO
THE 41ST SESSION OF THE
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At the end of its Expanded Emergency Meeting at Ministerial Level on the Situation in the Central African Republic on 20 February 2014, the Executive Committee deliberated on the escalating violence, cleansing of Muslims, destruction of mosques and mass exodus of Muslims in the Central African Republic – an Observer State in the OIC. In order to stem the tide of the violence, sufferings, gross violation of human rights, as well as to assist in the effort to return the country to stability and peaceful co-existence between the various ethnic and religious communities in the country, the Executive Committee made several recommendations, one of which was:

“IPHRC to examine the human rights situation in the Central African Republic and present concrete recommendations to the Council of Foreign Ministers towards addressing the issue in an effective manner”¹

In response to the request by the Executive Committee, Dr. Cheikh Tidiane Gadio, a former minister in Senegal, was appointed OIC’s Special Representative to CAR. The Special Representative led an OIC Ministerial delegation to the Central African Republic on solidarity and assessment mission from 28 April – 1 May 2014 in which the IPHRC was supposed to be represented, but the IPHRC representative could not take part owing to administrative and logistical difficulties. In the circumstance, the facts on which the Commission’s based its observations and recommendations in this report, were not from primary sources, but reliable reports from the UN Secretary-General, Office of the UN High Commissioner for Human Rights, the African Union, various UN humanitarian agencies, as well as on-the-spot report of international NGOs like Amnesty International and Human Rights Watch. As at 18 March 2014, there were “more than 50 humanitarian organizations working in CAR with offices in Bangui”² and most of these organizations rendered similar reports of massive human rights violations in the country, especially targeted killings of Muslims since January 2014.

¹ Paragraph No. 8 of the Final Communiqué of the Expanded Emergency Meeting of EXCOM, 20 February, 2014

² Central African Republic: Who has a Sub-Office/Base: OCHA Report 20140318

II BACKGROUND

The Central African Republic is a landlocked country in Central Africa. It is bordered by Chad Republic in the north, Sudan in the east, South Sudan in the east, the Democratic Republic of Congo and the Republic of Congo in the south, and Cameroon in the west. CAR has an area of about 620,000 square kilometres and a population of about 4.5 million people. 80% of the people in CAR are Christians, some of whom practice traditional religion. About 15% of the population before the current crisis in the country was Muslims.

Since its independence in 1960, CAR has never had a prolonged period of political stability. The country's first President, David Dacko was in office for only six years before he was ousted by his military chief, Jean-Bedel Bokassa – who declared himself an Emperor – with the blessing of France, and used one-third of the country's budget for the coronation ceremony. Bokassa's regime was that of absolute dictatorship, characterized by widespread torture and extrajudicial killings. At the height of his dictatorship, he became an embarrassment to even the colonial power that made him president, and in 1979 he was toppled and replaced by his predecessor, David Dacko, who was in turn ousted by Gen. Andre Kolingba in 1981. Gen. Kolingba remained in power until 1993 when Felix Patasse replaced him in the country's first multi-party democratic elections.

Patasse was in office until 2003 when Gen Francois Bozize seized power in 2003. Unfortunately, these coups and counter-coups did not only increase the political instability in CAR, but also the country's state of extreme poverty. The country has considerable natural resources, such as uranium, gold, diamonds and timber, as well as huge potential for hydropower, but all these remain unexploited, leaving the government with no funds to provide even the most basic services to the citizens.

“Political instability and administrative weakness have been permanent features of the Central African Republic since independence”.³ All previous governments of the Central African Republic relied almost entirely on foreign assistance for more than 70% of their budgets, but donors reduced their assistance substantially with the country's growing human rights violations. However, it was mainly owing to massive corruption and the inability of the state to pay the salaries of workers, including the military soldiers under President Bozize, led to the emergence of several factions that took arms to violently topple his regime.

III. THE SELEKA ALLIANCE

The Seleka Alliance, led by Michel Djotodia comprised three former rebel factions, which started an armed campaign against Bozize in 2012. The origin of the Seleka fighters has always been shrouded in controversy, with the former government of CAR accusing the alliance of harboring “foreign provocateurs” – ex-rebels from Chad, Sudan and Islamists from Nigeria, which the Seleka leadership strongly denied. For the one-year of its military campaign, which resulted

³ “Central African Republic: history of a collapse foretold”? By Morten Boas, Norwegian Institute of International Affairs, Jan 2014

in the toppling of Bozize, there were no sectarian cleavages in the operation of the Seleka Alliance. The main grievances of the Alliance were initially about payment of salaries, but as they gained territories they began to put forward political grievances like the freeing of political prisoners and ending of corruption, which was rampant under Bozize. There was no doubt that at the beginning, the Seleka Alliance had the support of Central African citizens across the board, which was helpful in their military campaign. However, immediately the Alliance over-ran Bangui the French media started to refer to them as “Muslim-Led-Rebels”. Michel Djotodia, a Soviet-trained economist, though a Muslim, has never harboured any Jihadist ambition, but the specter of Mali was mischievously created to portray the Seleka Rebels as a “Muslim army”.

Djotodia might have good intentions when he put together the Seleka Alliance, but either he had no idea how to move beyond overthrowing Bozize, or he was overwhelmed by the impecunious state of the country’s economy. When he took over as Interim President in April 2013, government workers including the military had not been paid for months. Caught in this circumstance the Seleka Alliance militias committed several serious human rights violations against the civilian population, especially in the capital, Bangui.⁴ However, it was on record that Djotodia’s government never condoned the criminal activities of the ex-Seleka “rogue” soldiers, some of whom had been declared wanted for various crimes including murder. Eventually, the Seleka Alliance had to be officially dissolved, but it was too late as some of the rebels had already carved out little fiefdoms in the countryside, as well as in the capital, Bangui. Although the Seleka rebels terrorized almost every civilian in CAR, Christians, who formed the single largest religious group in the country, the largest victims – it might be said - proportionate to their population. Unfortunately, a purely criminal action by renegade soldiers, was mischievously and with dreadful consequences, dubbed by the French media as a Muslim pogrom against majority Christians in CAR. The term “Muslim-led Rebels”, inciting as it was became the new buzzwords for the French media when referring the Seleka militia. It certainly fanned the amber of bitterness, culminating into the barbaric sectarian murders and ethnic cleansing that followed. The Seleka militias were not a regular army and the indiscipline exhibited by them was consistent with the misbehavior of similar rebel soldiers in Africa and other parts of the world, and certainly that had nothing to do with Islam, or it shouldn’t have affected innocent Muslims who were not members of the militia.

VI. THE ANTI-BALAKA MILITIA

The Anti-Balaka Militia was formed in the 1990s as village self-defense forces. Their main reason for their establishment was to fight against bandits, cattle-raiders and poachers, and being a rural-based militia; its members were mostly animist, identified by the lucky charms and other fetish symbols they wore around their necks. How did the Anti-Balaka militia transform itself overnight from community-based outfit for combating cattle raiding and poaching, into a nationwide Christian Militia, whose goal is to cleanse CAR of all Muslims? Who are the leaders of the anti-balaka militia? A very intriguing thing is the more questions asked about the Anti-Balaka, the less answers one gets from all quarters. Imam Omar Kabine Layama, confirmed the obvious to Chatham House that, “The anti-balaka originally started as a self-defense group. However, this

⁴ A/HRC/24/59 (UN HRC REPORT TO GENERAL ASSEMBLY 12/9/13)

militia now has thousands of ex-presidential guards vying to get back into power”.⁵ According to the Imam, unlike Rwanda which has two dominant ethnic groups, and therefore, easy to stoke up ethnic conflict, it is much more difficult to use ethnicity in CAR which has about 80 different ethnic groups. The Imam was convinced that religion was deliberately used to achieve a political objective. The views expressed by Imam Layama were shared by the “Vatican News”, which under the caption, “CAR – Are the Anti Balaka really “Christian Militia”?”, stated as follows:

*‘The clashes between former Seleka rebels and anti-Balaka militia that are ravaging the Central African Republic are often described as “interfaith”, being that the Seleka are Muslims and the anti- Balaka Christians. The reality is more complex, because not all Members of Seleka are Muslims and above all the majority of the anti-Balaka militia are not Christians’.*⁶

While even a cursory look at the dynamics of the CAR conflict will easily give credence to the fact that neither Seleka nor anti-Balaka were motivated or united by religion, the question of who is behind the anti-Balaka and their genocidal agenda remains unanswered. The general belief in CAR is that former president Bozize is funding the militia, with the active support of a foreign power. Most Muslims in CAR are suspicious of the French military, which they derisively refer to as the “White anti-Balaka”. As a former colonial master and with 1600 troops in CAR, mainly in Bangui, most Muslims in the country could not comprehend how the anti-Balaka rag-tag militia could carry out such horrendous massacres, especially in Bangui, without being reined-in by the peacekeeping troops. Amnesty International raised the same concern when it reported, “The anti-Balaka militia are carrying out violent attacks in an effort to ethnically cleanse Muslims from Central Africa, and the international peacekeeping troops have failed to stop the violence. They have acquiesced to the violence in some cases by allowing abusive anti-Balaka militia to fill the power vacuum created by the Seleka’s departure”.⁷ However, the most damning evidence about the French Sangari’s lackadaisical and half-hearted desire to stop the anti-Balaka militia’s targeted killings of Muslims, at least between January and February 2014, came from a statement made by General Francisco Soriano, Commander of the French Sangari forces. When asked about the identity of the anti-Balaka, the General replied: ‘We don’t know: their chain of command and their political programme are all unknown’.⁸ If the French troops did not know, or did not care to know who were members of the anti-Balaka, their command structure and political programme, then it shouldn’t be surprising that they were also unable to stop the barbaric massacres and coordinated cleansing of innocent Muslims by the anti-Balaka militia, ostensibly in revenge for earlier gross violations of human rights by the Seleke militia.

V. THE HUMANITARIAN CRISIS IN CAR

⁵ “Conflict in the CAR: Religion, Power and Prospects for Reconciliation. Statement by Imam Omar Kabine Layama, President of CAR Islamic Community, at Chatham House, London, 27 January 2014

⁶ “The Boganda Journal: Observations on Central Africa”, 25/02/2014

⁷ Amnesty International Report; “CAR: Ethnic Cleansing and Sectarian Killings”, 12/02/14

⁸ “Brefing: Who are the anti-Balaka of CAR”?; IRIN Report, 12/02/2014

From March 2013, when the Seleka rebels overran Bangui and seized power from the Bozize regime, CAR was left in the hands of bandits, who used rape, murder, and plunder, as instruments of imposing their will on the people. With just about 200 policemen to guard 4.6 million people from rebel gangs, the humanitarian crises built up to a point where the African Union (AU) had to call on concerned actors in CAR “to fully comply with international humanitarian law and human rights, and to refrain from any acts of violence against civilians”.⁹ The AU emphasized its determination to hold accountable all violators of human rights and humanitarian law in CAR. As early as December 2013, because of the total collapse in commercial life and the insecurity that had disrupted the farming season, food shortages had started to be evident throughout the country. Muslims traders controlled more than the 80% of the commercial trade in the Central African Republic, and the immediate impact of the killings and mass exodus of the Muslims, was shortage in food supplies.

The six months, which Michel Djotodia spent as President of CAR, was punctuated by reprisal and counter-reprisal killings between ex-Seleka and the anti-Balaka militias. The dissolution of the Seleka militia in September 2013 and their disarmament ordered by Djotodia, without any serious arrangements to protect the militiamen or the Muslim communities, whom the French media had mischievously portrayed as allies of the Seleka, did not help matters, as this just opened the floodgate for anti-Balaka to start exacting total revenge on all Muslims. Once the anti-Balaka got the upper hand in the conflict^{4/30/14 12:05 PM}^{4/30/14 12:06 PM}, their goal changed to ensuring that no Muslim in CAR – old, young, men or women were spared. There were graphic pictures of Muslims burnt alive in their houses, dismembered and even eaten up in a cannibalistic orgy, last heard of in the primitive ages! The deployment of the African-led International Support Mission (MISCA) in December 2013 with the mandate to stabilize the country as a result of the spiraling spate of sectarian killings, not only did it not show the anticipated result, but it did not also seem to halt the disintegration of CAR, with thousands scrambling to reach areas of relative safety in or out of the country.

The humanitarian situation in CAR since 2012 has remained extremely dire. It has been estimated that tens of thousands have died, and about 2.2 million people, half of the country’s population is in need of humanitarian assistance. According to OCHA, as at 31 March 2014, Internally Displaced Persons (IDPs) in CAR were about 1,625,000 with about 200,000 in Bangui alone. CAR refugees in neighbouring countries were about 319,603 (Cameroun 150,000; Chad 90,000; DR Congo 64,000; and Peoples Republic of Congo, 15,000)¹⁰. According to the same source, as at end of March 116,051 persons have been evacuated out of CAR, of which 92,3832 were citizens of Chad or third countries. There are reported cases of starvation, malaria and cholera in several camps where the victims of this crisis are taking refuge, and as the rainy season is already in sight, the problems of inadequate shelter and feeding for the refugees would increase drastically. The success of whatever supports OCHA and the humanitarian agencies may wish to give the victims will depend almost entirely on funds raised from of external contribution. The UN Under-Secretary-General for Humanitarian Affairs and Emergency, Baroness Amos put it more aptly: “Financial support is urgently needed to provide seeds and tools so that people can plant, so that we can support the pre-positioning of stocks, support voluntary returns where possible, and

⁹ AU Peace and Security Council 362nd Meeting, Addis Ababa, 23 March 2013.

¹⁰ “Central African Crisis: Regional Humanitarian Snapshot (as at March 2014)”

improve conditions in the IDP sites. We have asked for \$551 million, given the scale of the crisis it is a modest amount. For now, we are only 16% funded”.¹¹ Among the mostly urgent things needed, according to Baroness Amos indicated tents, food and medicine especially for the most vulnerable among the IDPs and the victims that were taking refuge in the neighbouring countries.

Of more immediate concern, was how to evacuate 19,000 Muslims urgently from Bangui, as well as from other towns in CAR, who are surrounded by anti-Balaka Christian militia threatening their lives. The militia has become more militarized it now has the audacity of attacking African Union peacekeepers. The anti-Balaka up to now control all major routes to and from Bangui, as well as many towns and villages in the southwest of the country. There are currently about 6,000 peacekeepers in CAR, about half the number required, which made it extremely difficult for the troops to halt the massacres going on all over the southern part of the country. “The state has virtually no capacity to manage the array of threats it is facing – no national army, and the remnants of the police and gendarmerie lack the basic equipment and means to exercise their duties, while the administration is largely absent”, lamented Mr. Toussaint Kongo-Daudou, the Foreign Minister of CAR. Unfortunately, from all indications the United Nations would not be able to raise the number of the peacekeepers to 12, 000 – the minimum needed to take effective charge of CAR – until possibly around September 2014. Meanwhile, the United Nations Security Council through its Res.2127/2013 has authorized both the deployment of the African-led International Support Mission in the Central African Republic – MISCA – and the French troops already in CAR, to help protect civilians, stabilize the country and restore State authority over the territory, as well as create conditions conducive to the provision of humanitarian assistance. To finance such efforts, the Council requested the Secretary-General to establish a trust fund for MISCA, through which Member States and international, regional and sub-regional organizations could provide support.¹²

VI. HUMAN RIGHTS VIOLATIONS

In her 64 years as a sovereign state, the citizens of the Central African Republic have never had a government that bothered about human rights and fundamental liberties. Lack of basic civil and political rights have been a common feature of all successive regimes in the country. However, even by the standards of CAR the horrendous violations of human rights have been taking place in the country since 2012 have been unprecedented. In the Annual Report of the UN High Commissioner for Human Rights to the 2013 UN General Assembly, the High Commissioner had this to say on the human rights violations by the ex-Seleka militia:

*“Reports indicate that Seleka soldiers were involved in summary executions of the members of the security forces of the former Government since the beginning of the rebel offensive on December 2012. The Seleka also reportedly tortured and ill-treated civilians at check-points, illegal detention centres and in other; they committed sexual violence, including against children; and looted public and private property”*¹³

¹¹ Baroness Amos, UN Under-Secretary-General for Humanitarian Affairs and Emergency: Remarks to the Press on the Situation in CAR, Geneva, 7/3/14

¹² S/RES/2127(2013) – 7072nd Meeting, 5December 2013.

¹³ A/HRC/24/59 12 September 2013

However, the reprisal of the anti-Balaka Christian militia since September 2013, which involved coordinated attacks on Muslim neighbourhoods, including public lynching of Muslim civilians, mutilating their bodies and setting them ablaze, were atrocities without parallels in the annals of modern conflicts. “Children (Muslims) have been decapitated, and we know of at least four cases where the killers have eaten the flesh of their victims. IPHRC was shown gruesome photographs of one of those cases by one of the civil society organizations that have been courageously attempting to document violations”.¹⁴ Amnesty International, which has sent several observers to Bangui and to the various refugee camps in the neighbouring countries, described the ongoing violence inflicted by the anti-Balaka Christian militia on Muslim civilians as a “tragedy of historic proportions”, which could set a dangerous precedent for other countries in the region. “The anti-Balaka militias are carrying out violent attacks in an effort to ethnically cleanse Muslims in the Central African Republic. The result is a Muslim exodus of historic proportions”.¹⁵ The exodus has literally changed the demography of CAR, with Muslims in the north and Christians in the South of the country. The anti-Balaka militias have vowed not only to drive all Muslims from CAR, but also to wipe out any symbol of Islam in the country, hence the continuous targeting of Muslims, and the destruction of mosques especially in Bangui, the towns of Bodfas, Carnot and Berbarati, as well as Mbaiki in the south, and Bossangoa in the northwest. At least 19,000 Muslims were trapped in these cities, and it was difficult to say with any degree of certainty how many were killed or managed to escape to safe areas. “More than a thousand mosques and Koranic schools have been smashed into ruins; more than a hundred Imams have been killed”.¹⁶

It is instructive to note that the International Criminal Court (ICC) has already opened a preliminary examination in the Central African Republic to determine whether atrocities committed there constitute possible war crimes. Ms. Fatou Bensouda, the Prosecutor for ICC regretted that fighting in CAR had worsen and had taken on an increasingly sectarian nature since March 2013. Accordingly, the ICC would investigate incidents, “including hundreds of killings, acts of rape and sexual slavery, destruction of property, pillaging, torture, forced displacement and recruitment and use of children in hostilities”. She added, “In many incidents, victims appear to have been deliberately targeted on religious grounds”.¹⁷ The same allegations of human rights violations have been made by different human rights bodies, i.e. Amnesty International, Human Rights Watch, Office of the UN High Commissioner for Human Rights, as well as humanitarian agencies working in the Central African Republic. It should be noted that CAR is a signatory to the Rome Statute, which led to the formation of ICC, and the court has jurisdiction over genocide, crimes against humanity and war crimes committed on the territory or by nationals of CAR since 1 July 2002, when the country ratified the Statute. The Prosecutor made it clear that these investigations are “unrelated to the situation previously referred to the ICC by the CAR authorities in December 2004”.

The human rights situation in the CAR is currently being taken up at three different levels of the United Nations: the Security Council; the UN Human Rights Council; and the International Criminal Court. Pursuant to the UN Security Council Resolution 2127 (2013) of 5 December

¹⁴ UNHCHR Navi Pillay, press conference on 20 March 2014

¹⁵ Amnesty International, Annual Report 2013

¹⁶ Koert Lindijer, the Dutch NRC-Handelsblad daily, 14/3/14

¹⁷ International Criminal Court (ICC) Press Release 07/02/14

2013, the Secretary-General has established an International Commission of Inquiry, comprising experts in both international humanitarian law and human rights law, in order to immediately investigate reports of “violations of international humanitarian law, international human rights laws, and abuses of human rights in the Central African Republic by all parties since 1 January 2013”.¹⁸ The Commission is to compile information, 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. Furthermore, the Security Council called on all parties to cooperate fully with the Commission. Its mandate is to work for an initial period of one year. The Commission has a secretariat and three high-level experts, under the Chairmanship of Mr. Bernard Aho Muna of the Republic of Cameroon.

VII. PRIORITY ACTIONS AND RECOMMENDATIONS

There are several areas in the Central African Republic crises that require very urgent action from the international community, but unfortunately very little have been done. As a result, both the security and the humanitarian dimensions of the crises remain of serious concern, more than a year since they first manifested. The almost total absence of institutions necessary for the functioning of a modern state – national army, police, judiciary, civil service, etc. – have not helped matters. Currently, without the international peacekeeping troops stationed in the country, the Transitional Government would not be able to stand even for a moment on its own. Unfortunately, the troops are mainly in Bangui and cities very close to the capital, making it almost impossible to stamp their authority on the militias who continue to commit heinous human rights violations. The priority areas that need to be addressed in order to stem the tide of the grievous human rights violations in CAR are as follows:

- (i) **Inadequate Peacekeeping Troops:** The UN has estimated that the minimum number of troops required to stabilize the security situation in CAR is about 12,000. However, these troops will not be on the ground until September. Meanwhile, the 6000 African peacekeepers (MISCA) and 2,000 French Sangaris on the ground are inadequate to protect civilians effectively, especially in and around IDP sites and remote towns where Muslims are still present. The Security Council has requested Member-States and regional organizations to contribute troops to the UN peacekeeping operation in CAR – BINUCA. Considering the interest of the OIC in stopping the genocide against Muslims and ultimately in resolving the crisis in CAR, Member-States should be encouraged and indeed, supported to contribute troops to BINUCA. The withdrawal of the Chadian troops from CAR was a deep psychological blow to the Muslim communities, who considered the Chadian troops as their main protectors. To facilitate the return of the Internally Displaced CAR Muslims, it is important for the OIC to get a replacement to the Chadian troops.
- (ii) **Rescuing trapped Muslims Victims:** At the time of writing this report, it was estimated that there were more than 20,000 Muslims still trapped in Bangui and several other cities in CAR, as a result of the continuous attack against them by

¹⁸ Secretary-General SG/A/1451 (AFR/2799) 22 January 2014.

the marauding anti-Balaka militia. The correspondent of “The New York Times” reported, “In Boda, until recently one of the few places where Muslims were relative safe in CAR, 4000 Muslims remained trapped for weeks without any rescue plan for them. Many of those who have ventured to go out had been killed, and those who remained just wanted to be allowed to leave safely”.¹⁹ The OIC Secretariat needs to mobilize Member-States to deploy all the diplomatic clouts they can muster in getting the CAR Interim Government, as well as the AU and French peacekeepers to protect the remaining Muslim population in CAR from the horrific killings by the anti-Balaka militia;

- (iii) **MISCA TRUST FUND:** Security Council Res. 2127(2013), which established MISCA – the African Peacekeeping Force in CAR, also created a Trust Fund in which Member-States of the UN, international and regional organizations could provide financial support. With 6,000 troops, MISCA is the largest peacekeeping force in CAR. CFM may wish to request OIC Member-States to contribute to the MISCA Trust Fund. Several African countries have pledged to contribute to MISCA, i.e. Nigeria, \$1.5M; South Africa, \$1M; Ethiopia and Ivory Coast \$500,000 each and The Gambia, \$250,000. Algeria has promised deployment of MISCA troops to Bangui.

- (iv) **INTERNATIONAL COMMISSION OF INQUIRY FOR CAR:**
The International Commission of Inquiry to investigate events in the Central African Republic since January 2013 should be supported by all OIC Member-States, because it offers the opportunity to go into the root cause of how a political contest for power metamorphosed into a savage mob killings of Muslims, in a country where Muslims and Christians had lived together peacefully for many years. The Commission will also compile a list of those killed and maimed, properties and business loss, etc. Similarly, the ICC is conducting investigations with a view to prosecuting those who have committed genocide or crime against humanity during the crisis. Ethnic/religious cleansing against any particular group of people constitutes genocide. Thousands have been affected in CAR and the least OIC can do is to assist the victims through knowing their rights, and in the compilation of their loses in preparation for testimony before the ICC or the Commission.

- (v) **FUTURE OF CAR:** Behind the scene, there is already a debate on the political future of the Central African Republic, with the de factor partitioning of the country into two – Muslims in the north and Christians in the south. There is a strong call for reconciliation based on a new form of government; moving away from a unitary form of government to one that would give the constituent parts of the country some measure of autonomy: federalism or confederation. All these would culminate into an election in February 2015, set by UN Security Council Res. 2127/2013. However, these are only possible if the current Interim Government is able to establish a minimum capacity to function on its own. Most of the Muslims affected by the anti-Balaka atrocities, believe

¹⁹ New York Times, 10 April 2014

that it is too early to start talking of holding elections in eight months' time, because the process of resettling those who want to return to the country would not have been completed by that time. Holding in February 2015 would tantamount to disenfranchising Muslims, thus, giving credence to the anti-Balaka's prejudice that every Muslim in CAR is a "foreigner". CFM may wish to look into the February 2015 election date for CAR, and if it finds the fear of the Muslim population credible, take up the issue with the UN Security Council.

VIII THE ROLE OF OIC IN THE CENTRAL AFRICAN REPUBLIC'S CRISIS

The UN Secretary-General Ban Ki-moon has proposed a six-point initiative to address the greatest risks being faced by the people of the Central African Republic, as follows: Security, Humanitarian, Financial, Internal Administration, Reconciliation, and Elections.²⁰ The OIC Secretariat and some OIC Member-States are already engaged with one or two of these six-point agenda, either in the effort to render humanitarian assistance to the victims, or protect their lives and property. Chad and Cameroon were the only OIC Member-States with soldiers on peacekeeping operation in CAR – until Chad announced its decision to withdraw its troops from this troubled country. In addition these two OIC countries host to over 200,000 refugees or those transiting to third countries. Chad and Cameroon, no doubt, deserve enormous credit for using their scarce resources in granting humanitarian assistance to such a multitude of CAR refugees, but unless other OIC Member-States come to their assistance, the capacity for either of the two countries to continue shouldering this burden is limited. In this regard, the decision by the OIC Humanitarian Organizations Council to provide urgent humanitarian assistance to internally displaced Muslims in the CAR, as well as those in refugee camps in Cameroon and Chad is highly commendable. Unfortunately, as the OIC Secretary-General stated, "because of lack of financial capabilities from the General Secretariat, our efforts in the humanitarian domain are limited despite growing need and increasing requests".²¹ To complement the efforts of the OIC General Secretariat and Member-States, it is important to involve the OIC civil society organizations. Regrettably among the 50+ international humanitarian agencies and NGOs that were operating in Bangui, none was from the OIC States. In this regard, the inauguration of the OIC Humanitarian Organizations Council by the Secretary-General is a welcome development. An OIC Consultative Status would enable the civil society organizations, which comprise the Council to operate under the umbrella of the OIC and to be able to raise funds in support of humanitarian interventions in crisis-ridden OIC States.

The security, financial and humanitarian aspects of the CAR crisis, without which, the road to normalcy in the country would remain impassable, is a function of mainly funds. However, reconciliation and elections, which are the final stages in the effort at bringing political stability, are more complex. There is a need for wider consultations with the representatives of the affected Muslim communities before taking a position on this phase of the transition programme. The financial cost, and geo-political implications of IOC's participation in all the above six-point

²⁰ UN News Centre, 22 February 2014

²¹ OIC General Secretariat Press Release (OIC Receives Growing Requests from Affected People in Central African Republic and Mali) 14/04/14

initiative mentioned phases of the CAR's crisis resolution are high, yet it is conceivable that OIC is not seen to be playing a major role in the resolution of the Central African Republic's crisis. However, for political expediency, it is advisable for OIC to liaise very closely with the African Union in whatever intervention it intends to make in the Central African Republic. While defending the rights of innocent Muslims, many of whom have been brutally deprived of their lives and livelihood, OIC should also avoid being perceived to be justifying the criminal actions of rogue soldiers like the ex-Seleka, even if they were Muslims.

There is no doubt that Muslims have been the biggest victims of the human rights violations that have taken place in CAR since January 2013, and because of this, OIC has an obligation to ensure that justice is served in the investigations that will follow. Otherwise, what happened in CAR has the risk of creating a precedent for trampling upon the fundamental human rights of Muslims in countries where they are a minority, like in most of the countries in Central, Eastern Africa, and Southern Africa. Indeed, if this is not nipped in the bud, it has the potential of encouraging Islamophobia in countries where Muslims and Christians have been living peacefully for decades. Therefore, the tragedy in CAR shouldn't be seen in terms of CAR per se, but for the totality of what it represents now and in the future.

The Muslims affected by the crisis in the Central African Republic should be assisted in the collation of records pertaining to both their human and material losses, with a view to seeking compensation in the future, as well as putting effective case before the ICC, the UN Commission of Enquiry on CAR and the UN Human Rights Council Special Rapporteur on CAR.

The Chief Imam of Bangui, Oumar Kobine LAYAMA and his Christian counterpart, Archbishop Dioudonne Nzapalainga should be supported and encouraged to in their reconciliation efforts.

OIC should ensure that all those who perpetrated gross violations of human rights in the Central African Republic, irrespective of affiliation, are severely punished in order to serve as a deterrent.

The Commission calls upon the OIC Secretary General, as well as Member-States to collaborate with the AU, engage France on bilateral basis because of its influence in the Central Africa, as well as the UN Secretary-General, Security Council, and the Human Council with a view to finding an urgent, fair and acceptable settlement of the CAR crisis.

The present report, and its addendum, were adopted by the IPHRC during its 5th Regular Session, held in Jeddah, at the OIC Headquarters, on 1 – 5 June 2014. The IPHRC urges CFM to also adopt and approve the implementation of this report, including the request to allow the Commission to remain engaged with the monitoring of the human rights situation in CAR on behalf of the OIC. Indeed, for CFM to be fully seized with the human rights dimensions of the situation in the Central African Republic, IPHRC should continue to monitor and report on the implementation of the six-point initiative of the UN Secretary-General, the investigations being carried out by ICC and the UN International Commission on CAR, as well as ensure that the interest of the affected Muslim victims is protected in the UN Human Rights Council and the UN General Assembly.

**ADDENDUM TO THE REPORT ON HUMAN RIGHTS SITUATION IN CAR
FOLLOWING IPHRC FIELD VISIT TO CAR
ON 16 – 17 MAY 2014**

IPHRC report on the "Human Rights Situation in the Central African Republic post December 2013, was based on the collation of reports on the subject by several international human rights NGOs, humanitarian agencies, as well as on IPHRC's analysis of these reports, and recommendations proffered. The addendum, on the other hand, is a complement to the report, based on IPHRC's field visit to the Central African Republic (CAR) on 16-21 May, 2014, which

was undertaken simultaneously with the OIC delegation sent to assess the humanitarian needs of the victims of the crisis.

Being a complement to the main report, the addendum tries to explore areas that have not been touched upon by the report or have not been captured in details, as follows:

- i. **Right to Life:** this is the most fundamental human right, and five months since the sectarian crisis started in CAR, Muslims are still hacked to death right inside Bangui. More than 90% of the country's Muslims have fled the country, living in pathetic situation in camps for the Internally Displaced Persons (IDPs) or in refugee camps mainly in Cameroon and Chad. There are also thousands of Christian internally displaced persons though, but they are not subjected to targeted killings like their Muslim compatriots. Presently, out of the estimated 250,000 Muslims that were in Bangui before the crisis, just about 1000 are still left, literally trapped in their PK-5 quarters. Any attempt to leave that area is met with death in the hands of the anti-Balaka Christian militias that surround the area. During the period of our visit, five Muslims that ventured to leave the PK-5 Quarters were killed, including one that was pulled out of a taxi and butchered right in front of some members of our delegation. The saddest thing is that in spite of the presence of the AU and French Sangari troops, the anti-Balaka Christian militias still kill at will. In the only secure hotel in Bangui, where we stayed during the visit, there were five Muslims that have been living in the hotel since December 2013 paying about \$US300 per day, but cannot step out beyond the hotel premises without being killed. Indeed, one was forced to change his name from Abubakar to Christian "Alain" for the sake of dear life. Unfortunately, he is being 'betrayed' by the black prayer spot on his forehead! IPHRC is of the view that OIC should launch a rescue appeal to save these people from their traumatic situation. We discovered that there is another group of Muslims that are being silently exterminated by the anti-Balaka militia, without attracting the attention of the international community. These are the Fulani (Mbororo) nomadic herdsman. According to reports we got from Muslims left in Bangui and those living in refugee camps in Cameroon, hundreds of these nomadic herdsman have been killed and their animals taken by the anti-Balaka militia. IPHRC came across one of the nomadic herdsman in a refugee camp in Cameroon, who told me that he had lost over 200 cows. Sadly, it is difficult to assess the number of Muslims that have been killed since December 2013, because no agency has been able to go into most of the provinces outside Bangui, where similar atrocities have been carried out.
- ii. **Freedom of Religion:** the thousands of Muslims that have been killed in CAR was for no other reason than being Muslims! In some instances, their bodies were desecrated and deprived the opportunity of being buried according to Islamic injunctions. It was estimated that there were about 36 standard mosques in Bangui before the crisis, but only three are standing at the moment, with children playing football on the land that used to be mosques! The Muslim community in Bangui has raised with us the issue of the status of the mosques and their houses that have been destroyed. They need a commitment from the Interim Government that they would be assisted to rebuild their houses, and the mosques would be rebuilt on the same land. In this regard, it is very important that a record of all places of worship destroyed is taken as soon as possible. Freedom of religion is basic in any attempt to heal the wounds from the crisis, and the Interim Government should be more up and doing in this area. In an answer to the question IPHRC posed to some Muslims and their

Christian counterparts, whether the Interim Government was doing enough to bring about the urgently needed reconciliation in the country, the response was mainly negative. It would be difficult to be otherwise, with people still being massacred simply on the basis of their faith. From the visit, IPHRC came out with the conviction that it is more difficult to heal the wounds of conflicts arising from ethnic, ideological or political differences than religious differences, which tend to be more pervasive.

- iii. **The role played by the French Sangari Forces:** The Muslim community in CAR has absolutely no confidence in the French Sangari troops in the country. This is evident in the numerous graffitis like "France is the enemy of Islam" and "No French soldiers welcome here" all over the Muslim enclave in Bangui. It was alleged that the French troops refused to protect the Muslim minority when they were being killed in Bangui, because "France did not want to be perceived as taking sides in the fight between the Seleka and anti-Balaka militias". In its report of 28/01/14, Human Rights Watch said, "The French Sangari troops, who are disarming the Seleka, often seem reluctant to intervene because according to them they cannot take sides, even when Muslims, now unarmed, are killed in revenge attacks by anti-Balaka". Similarly, Navi Pillay, the UN High Commissioner for Human Rights said on 20/01/14 that "France left Muslim communities vulnerable to attack by first disarming the ex-Seleka militia". With such revelations, it is difficult to dismiss the suspicion and lack of trust for the French from the CAR Muslim communities. However, whether in direct intervention as Sangaris or under the umbrella of the expanded UN Peacekeeping Operation coming up in September, France as a former colonial master, will continue to play a dominant role in CAR. Question is, how can France, which is not perceived by the Muslims as an impartial party be a mediator in the crisis in CAR? IPHRC is of the view that OIC has to step-up its role in the diplomatic effort to bring back peace in CAR in collaboration with France and the instrumentalities of the United Nations, including greater participation in the UN peacekeeping operations in the troubled country.
- iv. **Human Rights Investigations into the violence in CAR:** The United Nations Security Council, the International Criminal Court (ICC) and the UN Human Rights Council have all launched investigations into the massive human rights abuses in CAR, as IPHRC has mentioned in its main report. During IPHRC's visit to the country, it was found out that the remaining Muslim communities were not aware of these investigations, let alone prepare well for them. For example, IPHRC discovered that no accurate record of Muslims that have been killed, except the ones that have been brought to the mosque for funeral were kept. Neither do they have accurate records of their properties destroyed, because of the nature of most Muslims departed from the country. Hundreds of shops belonging to Muslims have not only been looted but the buildings raised down also. It was very obvious that the Muslim communities need legal assistance to help them in giving evidence before the series of the investigation panels set up for CAR, as well as to prepare more accurate records of their human and material losses. So far, all their records are manually kept and one or two computers will make a world of difference in their task.
- v. **Suspension of Kimberly Process Certification:** CAR was suspended from the Kimberly Certification Process in June 2013, and since then the country's diamonds have not been traded legally on the international diamond market. The loss of certification has deprived

the country of about 50% of its revenue. During our visit the Interim Government requested OIC States to lobby on its behalf for the lifting of the suspension. However, when IPHRC discussed this request with the Muslim community leaders, their views were in conflict with that of the Interim Government. Muslims controlled the diamond trade before the conflict, but after the massacre by the anti-Balaka, the diamond fields are now under the control of what the Prime Minister called "Criminal Gangs". The Muslims believe that lifting the sanctions on the export of diamonds at this time, would only strengthen the criminal gangs, thus, making it more difficult for the Muslims forced to flee the country get back their mining operations when they are back. Accordingly, the Muslim mining communities believe that it is not yet time to lift the sanctions. IPHRC believes that lifting the Kimberly Certification Process for CAR should not be discussed in isolation of the overall reconciliation process in the country.

- vi. **February 2015 Elections:** although approved by a UN Security Council resolution, holding "an all-inclusive, free and fair elections" in the Central African Republic not later than February 2015, is practically impossible. This is because up to this moment Muslims are still being massacred in the country, and almost 50% of the country's population are in need of humanitarian assistance. Almost every single representative of the humanitarian agencies operating in Bangui shared this view. How did the UN Security Council arrive at this conclusion when the representatives of the various UN humanitarian and development agencies on the ground hold a contrary view? Speaking to a Muslim former member of the National Assembly about the preparedness of Muslims to participate in a general election next February he answered, "When people are fighting for their lives elections are the last thing that come to mind". He went further by stating that in his own constituency more than 90% of the Muslims have fled Bangui, including members of his family. "All these are French machinations to ensure that the Central African Republic remains under their firm control", he added. Once more, IPHRC recommends that OIC States should take up this matter at the Security Council, with a view to getting the resolution reviewed not only because it is unfavorable to the thousands of Muslims who have been forced to flee the country, but also because it doesn't reflect the socio-political reality on the ground.

Finally, IPHRC visit to CAR has brought about the conviction that the process of reconciliation in the country is a long haul, and OIC has to map out its strategy of getting engaged for the duration.
