

128th Session of the Human Rights Committee Human rights concerns in the Central African Republic

A submission by Christian Solidarity Worldwide (CSW)

Introduction

1. CSW (Christian Solidarity Worldwide) is a human rights organisation specialising in the right to freedom of religion or belief (FoRB). CSW wishes to bring the following concerns and recommendations to the Committee's attention, in reference to the Central African Republic (CAR). This submission draws on CSW's research and detailed witness testimonies, and considers CAR's commitments to the International Covenant on Civil and Political Rights (ICCPR), with a particular focus on Article 18.

Background

2. 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. However, the constitutional provisions do not express the full definition of FoRB as outlined in the Universal Declaration of Human Rights (UDHR) and international treaties, including the ICCPR.
3. CAR ratified the ICCPR on 8 May 1981. However, FoRB violations have occurred for decades across the country. Restrictions on the right to FoRB continue to be reported and militias exert control over citizens with impunity.
4. Since November 2016 armed groups have increasingly split into factions, causing an increase in violence, which in turn has led to large scale population displacement.

Right to life (Article 6)

5. Human rights violations 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. This was the first conflict in CAR where religion played a central role.
6. 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.
7. The anti-Balaka groups, which have been widely described as 'Christian militia', 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.
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. 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 from 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 separated the groups, enabling the UPC fighters to flee. The FPRC then allegedly carried out house-to-house searches singling out ethnic Fulani civilians, 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.
10. On 7 March 2017, former Seleka group, UPC fighters, killed eight civilians looted and burned down houses in the town of Goubali 2. 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 residents in surrounding villages were displaced, seeking refuge in Guigui village.
11. On 2 May 2017 former Seleka rebels Retour, Réclamation et Réhabilitation (3R) executed nine men in a church in Bouar town. The following day 3R claimed responsibility for the attack and asked villagers for forgiveness. Anti-Balaka factions have also clashed: in November 2016 two factions fought in Bocaranga in the north west of the country, leading to the deaths of two people.
12. 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, occasioning a rapid response by MINUSCA to prevent further violence and displacement.
13. The anti-Balaka have also attacked individuals involved in peacebuilding and reconciliation between the religious 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 8 May 2017 anti-Balaka attacked a convoy of MINUSCA peacekeepers killing five and injuring ten.
15. On Saturday 11 November 2017, a grenade exploded at a concert promoting peace and reconciliation talks between rival districts in Bangui. The incident triggered reprisal attacks on Sunday 12 November that resulted in the deaths of eight people, while 20 were wounded.
16. On 15 November 2018, 40 people were killed in an attack on the Sacred Heart Cathedral and its surrounding properties, including an IDP camp, in Alindao town, 200 miles east of Bangui. The IDP camp was razed to the ground. Reports indicated that those who were killed in the camp were unable to escape from temporary structures that were set on fire. The attack was reportedly carried out by the UPC, led by Ali Darassa, in retaliation for the killing of a Muslim man by the anti-Balaka in Alindao.
17. On 21 May 2019, over 40 people were killed and dozens injured when 3R attacked two villages in the northwest. In the same month a Catholic nun who trained women and girls to deliver humanitarian aid was murdered. The 77-year-old French-Spanish nun, Sister Ines Nieves Sancho, was killed in Nola in the south west of country.

Freedom of religion or belief (FoRB) (Article 18)

18. 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.
19. Restrictions on the right to FoRB continue to be reported, and as with other human rights abuses, the main perpetrators are Seleka and anti-Balaka. In the parts of the country where these 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.
20. During the transition period between December 2013 and December 2015, attacks on places of worship were regularly reported. These included grenade attacks, home-made bombs thrown into church buildings during worship, the looting and desecration of places of worship, and the 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.¹
21. 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 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.
22. 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.

a) 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 in 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 that of Christians and animists creates an environment that facilitates religious tensions. 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 demands 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:

¹ 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-inter2-religious-violence

26. "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."
27. 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.

b) Restrictions on freedom of religion or belief in areas held by the anti-Balaka

28. The anti-Balaka maintain a 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 Christian religious activities in areas they control – for example, Christians are generally free to worship and to share their faith in public and private. While a number of Muslims have had to leave their homes, those that remain are able to worship as long as the local community can protect them.
29. The diamond-rich town of Carnot was 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. The group is therefore unable to travel to Muslim 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 prayers on the premises.

c) Restrictions on freedom of religion or belief for converts

30. One of the most vulnerable groups in relation to FoRB violations are those who have exercised the right to change their religion or beliefs. 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 were relatively low, and it was common within one family to have members espousing differing beliefs. While the constitution does not explicitly recognise the right to choose and change religion, there are no legal obstacles 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.

d) Targeting of religious leaders

32. 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 model peace and diffuse tensions between religious communities.
33. 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, Abdoulaye Miskine, who was imprisoned in Cameroon in September 2013.²

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 in the premises were killed. The incident raised questions regarding the lack of security at Reverend Guerekoyame-Gbangou's home, given his prominent role in peace building and reconciliation.
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.³

Recommendations

37. 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.
38. The State Party should ensure that relevant provisions within the constitution reflect the right to freedom of religion or belief as set out in the ICCPR.
39. 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.
40. 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.
41. The State Party must ensure that individuals who have committed human rights abuses during the recent or previous conflicts are brought to justice, and are not given political positions or appointed to the armed forces.
42. The State Party should extend protection to key religious and community leaders who are working on peacebuilding and reconciliation initiatives, and who have been targeted by armed groups.
43. The State Party should ensure that in the upcoming elections the right to life and freedom of movement are guaranteed for all citizens.
44. The State Party must ensure that the election meets international standards of free and fair democratic process.
45. The State Party should ensure that all violations of human rights including the unlawful use of force by non-state actors are investigated and all perpetrators are brought to justice.

² Christian Solidarity Worldwide, 'Clergy continue to be kidnap targets', 20 October 2014 www.csw.org.uk/2014/10/20/news/2505/article.htm

³ 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