

GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT

The Global Centre for the Responsibility to Protect was established in February 2008 as a catalyst to promote and apply the norm of the "Responsibility to Protect" populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Through its programs and publications, the Global Centre for the Responsibility to Protect is a resource for governments, international institutions and civil society on prevention and early action to halt mass atrocity crimes.

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COVER PHOTO:

Following a militia attack on a Fulani Muslim village, wounded children are watched over by Central African Republic soldiers in Bangui. The children were presented to journalists, the president and the prime minister before being taken to the hospital.

(Photo by William Daniels/Panos).

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EXECUTIVE SUMMARY

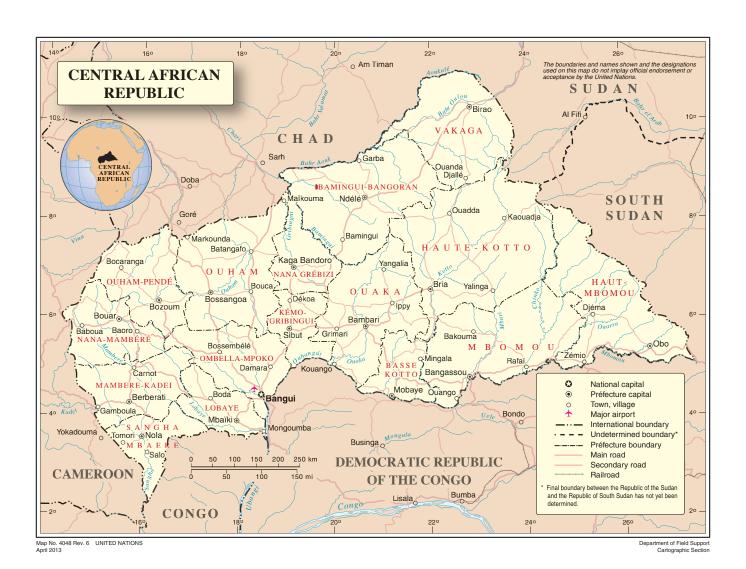
Since December 2012 the Central African Republic (CAR) has endured the worst crisis in its long history of armed rebellion, coups d'etat, mutinies, foreign intervention and human suffering. Following the overthrow of President Francois Bozizé by the predominantly Muslim Séléka rebel alliance on 24 March 2013, the group's fighters perpetrated widespread and systematic violations of human rights. The Séléka especially targeted the majority Christian population, and their abuses led to the emergence of *anti-balaka* militias who, in turn, focused their vengeance upon civilians from CAR's Muslim minority. All parties to the conflict have committed mass atrocity crimes, including targeted killings on the basis of religious identity. The crisis has had a particularly devastating effect on the social fabric of the country, forcing thousands of Muslim civilians to endure exile or besiegement.

This occasional paper from the Global Centre for the Responsibility to Protect analyzes the international response to human rights violations and mass atrocities in CAR. Despite clear warnings of the threat of atrocities due to growing armed conflict, the international response was woefully inadequate on all levels. Peacebuilding and diplomacy were insufficient. Consecutive peace operations deployed to CAR lacked the capacity to halt armed violence against civilians. The UN Security Council was slow to respond, taking cues from contending regional states and turning, finally, to the former colonial power, France, to militarily intervene. Even after the belated mobilization of the international community following official warnings of the "seeds of genocide" in late 2013, the

crisis continued to outpace the response on every level. The expulsion of CAR's Muslim population accelerated even as a UN peacekeeping operation, MINUSCA, was created in April 2014.

The failure to confront the gathering storm of human rights violations and mass atrocity crimes after December 2012 continues to hinder the international response today. Indeed, the case of CAR demonstrates that despite considerable normative progress since the adoption of the Responsibility to Protect at the 2005 UN World Summit, the international community still struggles in its ability to translate early warning into timely and effective response. Peacekeepers often remain ill-equipped, under-trained and insufficiently supported to prevent mass atrocities and protect civilians. The competing priorities of regional and international organizations, and among members of the Security Council, impedes a decisive response to some situations.

The crisis in CAR is far from over. Peacekeepers struggle to contain surges in violence, and a rush to elections before the end of 2015 without significant improvements in security, accountability, dialogue and reconciliation will only increase the risk of further mass atrocity crimes. If the international community is serious about preventing yet another relapse into violent conflict, the focus must be on long-term engagement with the transitional authorities and people of CAR. This will be the true test of the global commitment to upholding the Responsibility to Protect in the Central African Republic.



 $4\mid$ GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT

INTRODUCTION

The Central African Republic (CAR), a landlocked country of approximately 4.6 million people, remains in the grip of its most devastating crisis since gaining independence from France in 1960.¹ Following President Francois Bozizé's overthrow by the predominantly Muslim Séléka rebel alliance on 24 March 2013, the group's fighters, which included a significant number of foreign mercenaries from Chad and Sudan, perpetrated widespread and systematic violations of human rights. The group mainly targeted the majority Christian population in its exactions. The Séléka's violence then led to the emergence of *anti-balaka* ("anti-machete" in the local Sango language) militias between August-September 2013. Fueled by grievances toward the Séléka, the *anti-balaka* took vengeance upon civilians from CAR's Muslim minority.

The brutal 5-6 December 2013 violence in Bangui and Bossangoa, during which more than 1,000 people were killed in fighting between the *anti-balaka* and Séléka fighters, engrained religious identity as a defining feature of the conflict. Estimates by the United Nations (UN) suggest that between 3,000 and 6,000 people have been killed in CAR since December 2013, but the International Commission of Inquiry has called this a "radical underestimate." There is not, and indeed may never be, a definitive account of the lives lost in CAR.

The humanitarian crisis has also been historic in scale for a country that has experienced near-continuous internal displacement and high levels of malnutrition, infant mortality and lack of access to basic health services. At its peak in January 2014, internal displacement in CAR exceeded 900,000 people – nearly one-fifth of the total population - with over 100,000 people sheltering at a makeshift camp off the runway of Bangui's M'Poko International Airport.³ The number of refugees in neighboring countries has also increased from 200,000 in December 2013 to more than 462,000 as of August 2015. Much like the death toll, displacement figures are incomplete: thousands of people are estimated to still be hiding in the bush. Moreover, because of annual funding shortfalls for a crisis where

2.7 million people are in need of humanitarian assistance, the UN warned in April 2015 that CAR risks becoming "the world's largest forgotten humanitarian crisis of our time."⁴

Perhaps the most devastating impact of the current crisis has been on the country's social fabric. The UN estimates that since December 2013 approximately 80 percent of CAR's Muslim population has been forcibly displaced or killed. More shocking still are figures put forward by the International Commission of Inquiry, which suggested in their final report in December 2014 that the Muslim population of Bangui has been reduced by as much as 99 percent.⁵ Tens of thousands of Muslim civilians left the capital and western provinces for neighboring countries, some in makeshift convoys, others evacuated by peacekeepers because their safety could not be guaranteed. The Muslims that have remained in CAR have been forced into enclaves by the anti-balaka. Seven such enclaves are currently home to over 30,000 civilians, and many remain systematically encircled, cut off from food and medical supplies, and face an ongoing threat of attack.

Adopted at the UN World Summit in 2005, the Responsibility to Protect (R2P) is concerned with the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity. Every state has the Responsibility to Protect its populations and the wider international community has a responsibility to encourage and assist them in this regard. Moreover, the international community must be prepared to take appropriate collective action in a timely and decisive manner and in accordance with the UN Charter when a state is found to be manifestly unable or unwilling to protect its populations. This year marks the tenth anniversary of the global commitment to R2P and an important opportunity to take stock of success and challenges in the implementation of the norm.

This Occasional Paper analyzes the response of the international community to grave human rights violations endured by civilians in CAR from December 2012 to December 2013.

Warning signs of a brewing conflict and potential mass atrocity crimes were clear in advance of the outbreak of the current crisis. Despite the gravity of abuses from December 2012 onward, preventing mass atrocity crimes was not prioritized by the international community, leaving civilians vulnerable to predatory armed groups. When the response did come it was too little and too late. By the time of the 5-6 December 2013 violence, the situation had already reached a turning point: widespread and systematic mass atrocity crimes, including killings on the basis of religious identity, had become a feature of a crisis that was rapidly expanding in scale and scope. The international community failed to react in a timely manner to a crisis that outpaced the response at every level.

There have, nevertheless, been many references to the international community's belated actions having "prevented the worst" in CAR, particularly after warnings of genocide rang out from New York and Paris in late 2013. The deployment of French military forces under the auspices of Operation Sangaris and the scaling-up of the African-led peace operation, *Mission internationale de soutien à la Centrafrique*, or MISCA, after 5 December 2013, prevented more significant loss of life in CAR. These peacekeepers risked their lives to protect civilians, with a significant number of casualties. Despite their sacrifice, the fact remains that the current crisis in CAR has been the worst the country has ever witnessed. While violence has subsided from the levels witnessed in 2013 and 2014, the conflict is far from over.

A HISTORY OF VIOLENCE AND FAILURE FORETOLD

The Central African Republic has suffered a tumultuous history since independence in 1960, with numerous army mutinies, rebellions, coups and violence against civilians by national security forces. The established path to power in CAR has consistently been through arms. Four of the country's five elected Presidents have been removed by unconstitutional means, including most recently with the Séléka's March 2013 overthrow of President Francois Bozizé. Bozizé himself came to power via a 2003 coup that removed President Ange-Felix Patasse.

Recurring violence in CAR is both a symptom and a cause of structural issues that have plagued the country for the past five decades. These include an absence of state authority and effective governance, as well as the marginalization of communities outside of Bangui. CAR has also suffered negative

consequences of colonial and regional meddling, which have stunted development and fueled conflict. There has been a fundamental lack of justice for past abuses. Decades of predatory governance, including the deliberate manipulation of ethnic and religious divisions, became the norm.

These factors were prevalent in CAR before Francois Bozizé's reign. However, it is under Bozizé that the decay of government became so obvious that CAR was described as a "phantom state" that lacked any meaningful institutional capacity. Bozizé's government engaged in rampant corruption, consolidated power in the hands of the President's immediate family and associates from his ethnic group, the Gbaya, and marginalized the northern and eastern prefectures. These areas subsequently became "breeding grounds for legitimate grievances" against the Bozizé government. Furthermore, the former President is noted for having politicized religion more than any other previous ruler in CAR, largely through the proliferation of his personal brand of evangelical Christian churches.

These factors were crucial in creating the conditions for the Séléka rebellion, as well as in exacerbating pre-existing social cleavages. Combined with Bozizé's post-overthrow support for *anti-balaka* militias that agitated for his return, the former President and his closest allies bear a significant responsibility for the lives lost in CAR since 2012.

Throughout this history of violence, Central Africans have had little recourse to justice. During a mission to the country in March 2014, officials from the Ministry of Justice recounted to the author the difficulty in ensuring accountability: courts had been looted and taken over by armed groups, magistrates had been murdered, and only three prisons were functioning throughout the entire country. 10 But the collapse of CAR's "penal chain" was part of the long-standing neglect of judicial mechanisms and abandonment of efforts to secure meaningful justice for victims of previous human rights violations. Presidents and rebel leaders have all operated in a climate of impunity, with amnesty provisions implemented following each previous violent upheaval. Such provisions were instituted in 2003 following Bozizé's overthrow of Patasse and again in September 2008 after a peace agreement was signed between the Bozizé government and three armed groups.¹¹

The lack of accountability in CAR has had two conflict-inducing effects. First, it has encouraged the recourse to armed violence. Excused for past abuses and seemingly beyond the reach of the law, former rebel leaders have periodically returned to armed

violence in pursuit of their political and material objectives. Michel Djotodia and Nourredine Adam, both presently leaders of a faction affiliated with the former Séléka alliance, are perhaps the most notable examples in a long list of CAR's serial warlords. Second, the decrepit state of the judicial sector and impunity for past abuses has reinforced a tradition of "popular punishment," or as the head of CAR's Islamic Community poignantly put it:¹²

[Violence] is the consequence of impunity for crimes for the past thirty years. The coups, the mutinies, the exactions. Nothing has been judged from all of this. The people have had to take justice themselves. It is this cycle of injustice that breeds violence.¹³

Widely considered a "neglected" or "forgotten" country, previous violence in CAR has in fact attracted significant international peacekeeping and peacebuilding efforts. For example, the UN had a political and peacebuilding support presence in CAR for fourteen consecutive years, first through the UN Office in CAR (BONUCA) from 2000 to 2010, and subsequently the UN Integrated Peacebuilding Office (BINUCA) from 2010 until 2014. Since 2008 CAR has also been on the agenda of the UN's Peacebuilding Commission, which is tasked with preventing the relapse of conflict in countries in transition.

Since independence, the country has also been subject to repeated foreign interventions to "restore order." France, the former colonial power, has launched eight separate military operations in CAR since 1960, including several interventions that deposed former presidents. Consecutive CAR leaders have also relied on regional powers, such as Chad and Libya, for military support and personal protection.

MINUSCA, the current UN Multi-dimensional Integrated Stabilization Mission that assumed authority from MISCA on 15 September 2014, is the third UN peacekeeping operation to operate in CAR in less than two decades. MISCA was the fourth multilateral African force to operate in CAR. This force assumed authority from MICOPAX, the previous mission led by the Economic Community of Central African States (ECCAS), which had been deployed from 2008 onward. Prior to this, Central African states deployed the Inter-African Mission for the Surveillance of the Bangui Accords, following army mutinies in 1996. 15

None of these peacebuilding or peacekeeping efforts has had success in inoculating CAR against collapse – or protecting its civilians when collapse occurs. An important study of past international engagement in CAR undertaken by the Geneva

Peacebuilding Platform explains a number of factors that have contributed to this. First, the report finds that the failure to prevent conflict in CAR is specifically linked to an "overly negative and inherently flawed" perception of the country. Interviews conducted in Bangui and New York with various interlocutors confirmed this perception: CAR was described as a "black hole" and a "bottom-of-the-list country" for international attention and, therefore, funding.

This perception has ensured that international engagement in CAR has been fundamentally reactive and belated. Immediate concerns of short-term stabilization have trumped long-term investment in addressing underlying causes of violence and conflict. Interest in CAR has therefore resembled an accordion, with "an influx of peacekeeping, peacebuilding forces and humanitarian agencies during peaks of violence followed by a prompt exit to focus on the next crisis of the day."¹⁷

In this sense, the failure to prevent mass atrocity crimes since December 2012 is a symptom of decades of ineffective engagement with the country. As one European diplomat stated in an interview, "the main problem is that we didn't get it right in the past. That is why we are here today."¹⁸

THE GATHERING STORM

From December 2012 onward, civilians in CAR were subjected to an increasing array of human rights violations. Attacks on civilians, conducted in a climate of impunity, exacerbated long-standing tensions between communities. As a result, widespread and systematic violations perpetrated against civilians on the basis of religion and ethnicity became a defining feature of the crisis. Through each identifiable phase of the conflict the international response was insufficient to prevent escalation or provide adequate protection for the vulnerable.

December 2012 marked the beginning of the crisis with the formation of the Séléka rebel movement. The *Convention des Patriotes pour la Justice et la Paix*, led by Nourredine Adam, and the *Convention des Patriotes du Salut du Kodro* of Mohammed Moussa Dhaffane, joined forces with Michel Djotodia's *Union des Forces Democratques pour le Rassemblement* in northeastern CAR. Professional "liberateurs" who had helped to bring Bozizé to power in 2003, as well as some members of his own Presidential Guard, also joined the ranks of the Séléka. ¹⁹ The group may have been a "heterogeneous consortium of malcontents," as International Crisis Group named them, but their leaders and fighters were an established part of CAR's political landscape. ²⁰

By early December 2012, the Séléka had already made significant military gains in the north, east and center of the country. By the end of the month, the Séléka had seized more than half of CAR, overwhelming the national army, the *Forces armées centrafricaines* (FACA), and had stopped just 75 kilometers north of Bangui. Peace talks were hastily convened in Libreville, Gabon, and on 11 January 2013 an agreement was reached on a ceasefire, the modalities for power-sharing and a political transition. However, President Bozizé proved unwilling to live up to the agreement, and with the Séléka already in control of the majority of the country, the March coup was launched.

The support of both Chad and Sudan was pivotal for the Séléka during this phase of the crisis. Meetings were facilitated in N'Djamena, Chad, in August between Adam and Dhaffane, which laid the foundation of the alliance with Djotodia. In September, Chadian President Idriss Déby withdrew elite Chadian forces that had previously protected Bozizé and forged stronger links with the Séléka. Sudanese support was even more explicit: Khartoum provided direct military assistance to the Séléka. The government also facilitated the recruitment of troops from pro-Khartoum paramilitary groups, including the infamous Janjaweed, responsible for mass atrocity crimes in Darfur. 22

The successful 24 March overthrow of President Bozizé marked the end of the first phase of the crisis. Despite the presence of a reinforced MICOPAX peacekeeping force and Chadian soldiers, the Séléka encountered little resistance in their final drive towards the capital. The rebels passed Damara, which had previously been declared a "red line" on the way to Bangui by a MICOPAX commander, without a fight. As they entered Bangui on 24 March, the Séléka engaged South African forces, deployed as part of a security pact between Bozizé and South African President Jacob Zuma, and killed thirteen soldiers.²³ The French increased their presence under the aegis of Operation Boali, which had been present in CAR since 2002, to 400 troops, but only secured Bangui's M'Poko International Airport and diplomatic assets. The UN's peacebuilding office, BINUCA, and staff from other UN departments and agencies responsible for providing life-saving assistance to CAR's civilians, were evacuated.

Between the end of March and September 2013 - the second phase of the crisis - the Séléka consolidated their power in Bangui and throughout CAR. Djotodia declared himself Head of State on 25 March 2013, becoming the first Muslim leader of the predominantly Christian country. The African Union (AU) denounced the unconstitutional change of power, suspended

CAR, and swiftly imposed sanctions on senior Séléka officials.²⁴ While regional leaders initially refused to recognize Djotodia, the Séléka leader formed a national transitional council and announced he would abide by the provisions of the Libreville agreement. His Presidency was officially recognized by the AU at a regional summit in N'Djamena, Chad, on 18 April and became solidified after de facto recognition at the first meeting of the International Contact Group (ICG) on 3 May in Brazzaville, Republic of Congo.²⁵ In just two months, Djotodia went from a rebel warlord to an accepted transitional President whose Séléka fighters now became the de facto national security forces of CAR.

With Bozizé removed from power and no real political program, the Séléka alliance quickly began to unravel. Pillaging and razing villages became the modus operandi of its fighters. Bangui witnessed extreme violence immediately following the coup, with the *Fédération internationale des ligues des droits de l'homme* (FIDH) documenting at least 306 people killed and over 1,000 wounded by 20 April. ²⁶ Séléka fighters targeted Bozizé supporters, elements of the FACA and gendarmerie, and CAR's Christian majority. As Séléka violence increased, on 19 July the AU decided that the fledgling MICOPAX operation would be transitioned to become MISCA.

The Séléka's brutality was pivotal in launching the third phase of the conflict, which began during September 2013. Local self-defense groups in western CAR mobilized to protect their communities. Members of the FACA, the Presidential Guard and gendarmerie, as well as Bozizistes – those who supported the former President's return to power – began to join these groups, recruit amongst the youth and secure financial support to sustain their operations.

The militias became known as the *anti-balaka*. The size and strength of the various *anti-balaka* was difficult to estimate. The fighters were not coordinated under a leadership structure that bound the various groups together, nor did they have an articulated political program that united various factions. Furthermore, what appeared to begin as a self-defense movement in response to Séléka attacks in western CAR quickly became an offensive force whose operations included targeting Muslim civilians.²⁷

Anti-balaka attacks were launched against Séléka outposts in western CAR in September 2013, particularly in the area surrounding Bossangoa, in Ouham prefecture – the stronghold of former President Bozizé and his ethnic Gbaya. Reprisal attacks between the *anti-balaka* and Séléka, and their supporters,

escalated. As many as 40,000 people fled to the Catholic mission, including 8,000 Muslim civilians, while thousands of Muslims sought shelter in the local mosque and Ecole liberté. Beyond Bossangoa, field research by Amnesty International, FIDH and Human Rights Watch during this period pointed to the targeting of Muslims by the *anti-balaka* and spiraling intercommunal violence.²⁸

Groups of fighters that were formerly affiliated under the Séléka, which was officially disbanded by Djotodia on 30 September, retaliated against civilians for *anti-balaka* attacks in the western prefectures. Other factions of the former Séléka took control in the center and east of the country, subjecting civilians to further human rights violations, as well illegally exploiting gold mines, coffee fields and other resources to sustain themselves.²⁹ Sporadic clashes between the *anti-balaka* and ex-Séléka fighters during this period laid the foundations for a wider conflict.

UN officials and diplomats began to amplify warnings regarding the developing crisis between September and November 2013. A cycle of reprisals, targeting civilians from either the Christian or Muslim community, risked "plunging the country into a new conflict," according former UN High Commissioner for Human Rights Navi Pillay. 30 Following an informal meeting of the UN Security Council on 1 November 2013, the UN Special Adviser on the Prevention of Genocide, Adama Dieng, told the press, "If we do not act now and decisively I will not exclude the possibility of a genocide occurring in the Central African Republic."31 In response, on 26 November the French Defense Minister, Jean Yves LeDrian, announced that the former colonial power would dispatch an additional 1,000 troops - on top of the 400 already present - "to allow calm and stability to return." 32 Meanwhile, support to MICOPAX and its transition to an AU-led force suffered delays and, as the UN Security Council considered how to best respond, violence intensified in Bangui and Bossangoa.

The events of 5-6 December 2013 were the bloody denouement of the deteriorating crisis in CAR. On 5 December the *anti-balaka* launched a coordinated attack on Séléka forces in Bangui. The attack sparked gruesome reprisals, with armed groups and mobs of civilians committing targeted killings against civilians on the basis of their religious identity and presumed support for one or other of the warring factions. "Both sides are committing unimaginable atrocities," a 6 December flash update by the UN Office for the Coordination of Humanitarian Affairs (OCHA) read, insisting that the "death toll will rise." At least 1,000 people - mainly civilians – were killed in intense fighting, mob lynchings and "door-to-door" killings.

Meanwhile, in Bossangoa, to the northwest, ex-Séléka forces launched attacks against the *anti-balaka*, the Christian population and the MICOPAX peacekeepers guarding them. This prompted a counter-attack by the *anti-balaka*, who took control of the town and encircled Ecole liberté, where thousands of Muslim civilians were sheltering. The *anti-balaka* issued a warning that they would not leave Bossangoa "until all Muslims at the site are dead."³⁴

Varying accounts were given with respect to the early December upheaval. A UN official stationed in CAR claimed that specific warnings had been transmitted to MICOPAX a full week in advance of the attacks, largely based on reports that the *anti-balaka* had begun to mobilize north of Bangui. ³⁵ A diplomatic source in Bangui further stated that the violence should have been expected given the actions of the *anti-balaka* in western CAR and the expected arrival of French forces of Operation Sangaris on 5 December. ³⁶ Despite clear indicators of increasing conflict between the Séléka and *anti-balaka*, as well as rising inter-communal tensions, the international response was dilatory.

The UN Security Council belatedly mobilized on the day of the assaults in Bangui and Bossangoa. Resolution 2127 of 5 December mandated the AU's MISCA force – which had yet to officially take over from MICOPAX - to protect civilians. The resolution called for sustained support for MISCA, and created an International Commission of Inquiry and a sanctions regime. The resolution also mandated the deployment of French troops under the auspices of Operation Sangaris and their active patrolling alongside African peacekeepers in Bangui. This deployment helped forestall further massacres in the capital. Meanwhile, in Bossangoa, MICOPAX peacekeepers saved thousands of lives by opening their gates to fleeing civilians, deploying to vulnerable displacement sites, and militarily engaging those threatening the local population. The save of the save

The anarchy in Bangui and the interior that followed the December attacks led to intense political pressure on Djotodia, particularly from President Déby of Chad, resulting in Djotodia's resignation and exile from CAR on 10 January 2014. A new interim government was formed and on 23 January Catherine Samba-Panza assumed office as President of the Transition. But efforts to reconstitute a government, as well as the deployment of additional French forces in February and the scaling-up of MISCA following its assumption of authority from MICOPAX on 19 December, could not prevent the situation from deteriorating further.

The deliberate and systematic targeting of CAR's Muslim population by *anti-balaka* militias and mobs of civilians accelerated. By the end of December Chad had evacuated its nationals – primarily Muslims – out of CAR. Cargo planes flew 16,000 people to N'Djamena and Chadian military convoys evacuated 30,000 civilians from Bangui to Sido, in southern Chad. An additional 30,000 people were escorted by either MISCA or Séléka fighters to Bitoye and Goré.³⁹ Choosing exodus did not necessarily guarantee safety, as the convoys themselves became targets. For example, grenade and machete-wielding *anti-balaka* fighters attacked a convoy of Muslims leaving the western town of Vakap in January, killing 23 people.

In March 2014, OCHA reported that Bossemptele and Bozoum in Ouham-Pendé prefecture and Mbaïki in Lobaye prefecture had been emptied of their Muslim residents. ⁴⁰ The UN High Commissioner for Refugees referred to the organized violence against the country's Muslim population as "massive ethnoreligious cleansing." ⁴¹

The Muslims that stayed in CAR were enclaved by the *anti-balaka*, particularly in western towns and villages. By March 2014, as many as 15,000 Muslims were trapped in besieged communities. ⁴² As it became clear that African and French forces could not guarantee the safety of those in the enclaves, the UN, MISCA and humanitarian actors were compelled to organize evacuation and relocation operations for those that wished to leave. These convoys continued to be targeted in *anti-balaka* attacks. On 28 April at least two people were killed and seven injured when an 18-truck convoy carrying 1,300 Muslim civilians from Bangui's PK12 neighborhood was attacked by the *anti-balaka*. International forces were compelled to protect the remaining enclaves, but doing so stretched their already limited ability to deploy to other hotspots throughout CAR's large territory.

The post-December 2013 violence outpaced the international response in its scale and scope. Rival armed groups extended their territorial control throughout the country, leading to the de facto partition of CAR between the predominantly *antibalaka*-controlled west and prefectures in the east controlled by former Séléka factions. According to the Armed Conflict Location and Event Data Project, the number of towns and villages affected by violence doubled during the course of 2014 as compared to the year before. The failure to prevent mass atrocity crimes after December 2012 continues to affect the ability to find a lasting solution to the crisis today.

"HATE IN THEIR HEARTS"

Emboldened by a lack of state authority, an insufficient number of peacekeepers and a climate of impunity, the ex-Séléka and *anti-balaka* engaged in unrelenting violence against civilians. The inter-communal dynamic of the violence intensified after December 2013, with civilian mobs mobilized against one another on the basis of religious identity.

Prior to the current conflict, CAR exhibited a number of risk factors identified in the UN's *Framework of Analysis of Atrocity Crimes*. ⁴⁵ For example, the country has experienced chronic political and economic instability and humanitarian crisis. Vulnerable populations have suffered exclusion and discrimination. The country has also been subject to spillover from the conflicts of its neighbors, particularly Chad and Sudan, and subjected to plunder from rebel groups that operate along its borders. A pervasive culture of impunity was another significant contributing risk factor. ⁴⁶

Weakness of state structures and predatory governance had steadily eroded the country's institutional resilience to mass atrocities. Various motives and incentives, including both the attainment and retention of power by armed means, were identifiable in advance of the outbreak of the current conflict in CAR. Indeed, in January 2013 the head of BINUCA, the late Margaret Vogt, warned the UN Security Council that failing to confront the factors that led to the collapse of previous peace agreements "may lead to another meltdown a few years down the line as a result of expectations frustrated and not met." It took just three months for her warning to become a reality.

As the human rights situation in the country deteriorated, so too did relations between communities, particularly between the majority Christian and minority Muslim population. Experts agree that religion was interposed with deep historical issues and societal stresses, including a mistrust between communities that pre-dates the current conflict. Here exists a long-standing xenophobia towards foreigners in CAR, and that mistrust was directed towards Chadians, nomadic herders from the border regions and other Muslims. He historic marginalization of the northeastern region of the country, as well as the politicization of religion by the Bozizé regime, exacerbated tensions between communities. The "near-total impunity" granted by Bozizé to the Chadian forces that assured his own security also led to hostility towards ordinary Chadian residents within CAR. According to one expert, the fact that the Séléka rebel

alliance that toppled Bozizé in March was predominantly Muslim and was comprised of a large number of Chadian mercenaries, "piled more injustices and abuses onto these longer-standing tensions."⁵⁰

Targeted attacks along religious lines were reported from at least December 2012 onward. In their offensive from the northeast, Séléka fighters attacked members of CAR's Christian majority and looted places of worship. Supporters of President Bozizé also reportedly targeted Muslim civilians for violence in Bangui. In a closed-door session of the UN Security Council on 3 January 2013, the French Permanent Representative to the UN made the earliest warning of these attacks, stating that the crisis was beginning to take on a religious and ethnic dimension. In March 2013, the Bozizé regime employed religion as a tool to mobilize opposition to the Séléka. President Bozizé and government ministers used the radio in Bangui to call upon supporters of the ruling *Kwa Na Kwa* party to defend CAR from the Séléka and the alleged "Islamisation" of the country. 52

Warnings continued as the Séléka advanced on the capital. Margaret Vogt briefed the UN Security Council on 20 March - four days before the Séléka seized power - stating that the mission had received credible reports that non-Muslim civilians were being victimized in areas under the rebel's control. According to Human Rights Watch, one of the first targets in the "looting of Bangui" on 23 March was the city's Cathedral, where Séléka fighters threatened and robbed worshippers. He fighters also attacked Christian civilians in Bangui's quartiers. On 14 April Séléka forces shelled a church in the Cite Jean XXIII neighborhood, killing four people and wounding dozens of others attending a Sunday service. Sixteen people were killed over the course of the 13-14 April weekend in what were described by the UN Office of the High Commissioner for Human Rights as "clashes along religious lines."

A stark warning was issued in a May UN report on the situation in CAR. Information had been received of growing resentment among Christian communities as a result of targeting by Séléka elements. As the report stated, "through online forums, some citizens of the Central African Republic and members of the diaspora have encouraged the population to take up arms and systematically retaliate against any and all Muslims." One such message was posted on 15 April 2013. Written in French, it called on residents of Bangui to arm themselves with machetes and knives and to "take inventory" of "les hommes en grand boubou," referring to men donning robes traditionally worn by Muslim men in West Africa. "As the best defense is attack,"

the message reads, "surprise them in their sleep and, in full prayer, kill them, their wives, children. It is now or never." 58

By June 2013, International Crisis Group reported that, "the strong anti-Séléka feeling that has taken hold of Bangui residents is taking on anti-Muslim overtones."59 These sentiments deepened as the Séléka coalition first expanded its control and then unraveled following the March 2013 coup. Human Rights Watch documented more than 1,000 homes, schools and churches destroyed in June 2013 by Séléka forces, including attacks undertaken alongside nomadic Peulh pastoralists who move their cattle between Chad and CAR. 60 Chadian and Sudanese mercenaries within the ranks of the Séléka also perpetrated rampant violence in western CAR during this period, claiming the "spoils of war" for their services and engaging in pillage, extortion and killings. 61 Attacks by Séléka elements against communities that had taken up arms against them were also reported to the UN Security Council in August 2013.⁶²

In response, *anti-balaka* militias and armed civilians began to systematically target Muslims, including nomadic Peuhl herders, in violent attacks from September 2013 onward. During an attack in Bogangolo in western CAR in early September, the *anti-balaka* reportedly forced the nearly 200 Muslims in the village to flee, and those who refused to leave were killed, with the *anti-balaka* stating afterwards that the Muslims "were the enemy and that they must leave." A UN official described how *anti-balaka* militias in Bimbo, a town on the outskirts of Bangui, sought to "map" the town's Muslim community in early September 2013, with fighters going door-to-door asking where Muslims, Arabs or supporters of the Séléka lived. Events in Bossangoa documented by Human Rights Watch demonstrated a particularly gruesome level of brutality:

A 55-year-old man tearfully described escaping from anti-balaka attackers, only to watch in horror from a hiding place as they proceeded to cut the throats of his two wives, his 10 children and a grandchild, as well as other Muslim civilians they had captured. 65

As anti-balaka attacks against the Muslim population increased, so too did the reprisals of the ex-Séléka, with civilians the main victims, culminating in the 5-6 December violence. By this time, according to Imam Kobine, there was already "hate in the hearts" of CAR's civilians, who saw either Muslims or Christians as their enemy. 66 The Imam referred to the climate in the country as an "infernal cycle of hate."

THE UN: ILL-PREPARED AND INSUFFICIENT

The UN entity nominally responsible for analysing the developing conflict was BINUCA, a UN special political mission. BINUCA was established in January 2010 and its initial mandate set out of a variety of tasks, including supporting the implementation of a 2008 national dialogue, assisting in disarmament, demobilization and reintegration (DDR) and security sector reform, and promoting human rights. Unfortunately, BINUCA was ill-prepared to respond to a complex emergency where mass atrocity crimes were occurring. A number of internal factors inhibited the mission's capacity to respond, and crucial direction and support from the UN Security Council came too slowly, particularly in terms of protection for the mission and its mandate. These factors proved critical in the international community's inability to adequately respond to the crisis.

Despite a ten-year presence in CAR, BINUCA failed to adequately re-calibrate its response to an evolving and deadly situation. Prior to the crisis, BINUCA officials had too close a relationship with President Bozizé and limited the mission's analysis and reporting so as to not negatively impact upon that relationship. 69 Moreover, humanitarian workers and UN staff stated that the lack of a BINUCA field presence in the remote north and east significantly inhibited the mission's ability to analyze and respond to the situation as it evolved. For example, the head of BINUCA stated to the Security Council in January 2013 that the mission "did not anticipate that an organized rebel assault... would lead to such a quick overrun of half the country." 70 More than two months earlier, in mid-September, the towns of Dekoa, Grimari, Sibut and Damara had been seized from the FACA and national gendarmerie by two groups that would help form the Séléka alliance. BINUCA, however, seemed fundamentally incapable of grasping the reality of the rapidly changing situation.

Compounding this was what many interlocutors referred to as a "bunker mentality." BINUCA was forced to evacuate its staff from CAR following the Séléka's advance. This led to all international and non-essential staff being flown to Cameroon by 30 December 2012. After a partial return in January 2013, BINUCA once again evacuated on 25 March, following the Séléka's capture of Bangui, leaving only 40 critical staff behind. This number gradually increased to 69 staff at BINUCA headquarters, but it was not until June 2013 that they were granted permission to leave the compound. The majority of BINUCA's staff only returned in September 2013.

The security concerns were real, as UN offices and stores had been targeted in Séléka looting and the mission lacked any security guarantee from the FACA, MICOPAX or the French. However, the evacuation and lockdown of BINUCA came during the period of rising Séléka violence against civilians and the formation of the anti-balaka. This curtailed the analytical capacity of the mission, as well as its ability to play a constructive role in responding to a deteriorating situation, including through supporting community-level mediation and dialogue between contending armed groups. Furthermore, evacuation disrupted the flow of information to the UN Security Council, leaving the one body responsible for the maintenance of international peace and security lacking objective and timely analysis from UN sources on the ground.71 The withdrawals also stand in stark contrast to the activities of humanitarian organizations like Médecins Sans Frontiéres, who scaled-up their life-saving activities and in-field presence during the most dangerous phase of the crisis.72

Personnel issues also impacted upon BINUCA's ability to respond. CAR was informally described as a "punishment posting" for under-performing UN staff members, a "prison," and the "parking lot of the UN."⁷³ The country was simply not seen as a priority posting. As a result, the UN suffered from high turnover rates of staff and constantly faced recruitment issues. This extended beyond Bangui to the Department of Political Affairs within the UN Secretariat, where, during 2012, the CAR file was transferred to three different individuals.⁷⁴ Personnel issues therefore created macro-level problems for BINUCA, and indeed the wider UN system, as it sought to grapple with an increasingly complex emergency that featured the commission of mass atrocity crimes.

Insufficient resources for elements of BINUCA's mandate relating to the promotion and protection of human rights also constrained the UN's effectiveness. Security concerns prohibited monitoring and investigations in the field, and the mission also lacked sufficient staff. A 5 August 2013 report of the Secretary-General on the situation in CAR recognized this, stating that the lack of resources "impedes the ability of the United Nations to adequately play its part in the protection of civilians." Furthermore, multiple UN sources confirmed that BINUCA's leadership considered human rights monitoring and investigation a second-order task of their mandate. Public reporting on human rights was sidelined for fear of a detrimental impact on the political process.

The Security Council's response was also slow and inadequate. After renewing BINUCA's mandate in January 2013 for a period of one-year, it took a full eight months for the Council to expand and reinforce the mission's priority tasks to include support for conflict prevention and humanitarian assistance, support for the stabilization of the security situation, and the promotion and protection of human rights. Despite attacks and threats to UN staff and premises, it took until 29 October 2013 for the Council to call for the deployment of a UN Guard Force to protect UN personnel and premises. Morocco, one of the few countries with an embassy in CAR, offered its support. However, its troops only began to deploy in January 2014, almost a year after the Séléka seized Bangui.

Despite these shortcomings, BINUCA was not a peacekeeping operation. The mission simply could not provide protection for civilians from physical violence. Those tasked with doing so between December 2012 and 2013 were also ill-prepared.

INTERVENTIONS AND TRANSITIONS

As the situation in CAR deteriorated throughout 2013, a military response to provide protection to civilians became increasingly necessary. Following the Séléka coup, the majority of the country's national security forces – the FACA, police and gendarmerie – deserted their posts, leaving civilians with no official state forces to protect them. Significant numbers of the FACA, including those loyal to former President Bozizé, joined the *anti-balaka* between August and September 2013, perpetrating attacks against civilians and peacekeepers. Furthermore, the UN Secretary-General reported that by November almost all of CAR's security forces that had returned to their posts had been disarmed and were "unequipped and unable to exercise their functions."80

The collapse of the state security forces underlined the urgent need for an international force to protect CAR's civilian population. However, hampered by a lack of capacity and insufficient troops, both MICOPAX and MISCA were also unable to effectively protect civilians throughout 2013. The international community then looked to France, the former colonial power, to intervene, which it did in December 2013 with the blessing of CAR's transitional authorities. Support for these different peacekeeping operations and the relationship between ECCAS and the AU, and later between the AU and UN, regarding the transition from one peacekeeping operation to another, were sometimes fraught with toxic politics and complicated by financial concerns. On the ground, there was simply not a sufficient presence to adequately protect civilians from mass atrocity crimes.

By mid-2012, amid the beginning of a regional falling-out with the Bozizé government, ECCAS decided upon a phased withdrawal of its MICOPAX operation.⁸¹ However, as the Séléka moved towards Bangui in late December, this decision was reversed and the mission was bolstered. The mandate was also altered in January 2013, following the Libreville accord. MICOPAX was to establish security in CAR, support the implementation of DDR, guarantee the security of political leaders, support the provision of humanitarian assistance and protect civilians from violence.⁸²

However, with the Séléka takeover in March, the interests of regional actors shifted again. With Chad's turn away from Bozizé complete, the Séléka were able to march past the "redline" of Damara and took Bangui without any significant resistance from MICOPAX. 83 Furthermore, the political acceptance by ECCAS of Djotodia's Presidency following his commitment to the Libreville accord, further complicated MICOPAX's efforts. Once tasked with defending CAR from the rebels, MICOPAX troops now had to work alongside them, conducting joint patrols with Séléka fighters. By September, MICOPAX was "unsuited to the new circumstances following the coup d'état and the presence of heavily armed Séléka militias throughout the territory."84 This would become even more obvious following the Séléka's disbandment and the rise of the *anti-balaka* militias from September 2013 onward.

Beyond the impact of regional politics on the mission, MICOPAX did not have the sufficient numbers or resources throughout 2013 to stabilize the situation and protect civilians. ECCAS decided in April to reinforce MICOPAX to 2,000 uniformed personnel (from 600).85 However, the region was slow to provide reinforcements, and by July 2013 only 1,000 troops and police had reached the country. By November 2013, as the violence intensified, MICOPAX had deployed over 2,000 uniformed personnel, with the majority stationed in Bangui. While patrols were conducted in the capital, the mission's presence was limited to three field bases elsewhere in the country, leaving the vast majority of civilians vulnerable to the predations of both the ex-Séléka and anti-balaka. 86 Overall, the force lacked sufficient deterrent capability in the face of an estimated 15,000 Séléka fighters and an unknown but rapidly growing number of anti-balaka.87

On 19 July 2013 the AU authorized the deployment of MISCA to take over from MICOPAX. The force was envisioned to consist of 3,652 personnel and would be able to draw from a wider pool of African troop and police contributors, as well as the "increased and multifaceted involvement of the United Nations"

for the establishment and the strengthening" of the mission. 88 However, the AU and ECCAS competed over responsibility for, and visibility within, MISCA. There were divergent views over who would assume command and control of the operation, as well as which countries would contribute. Chad, which was the largest troop contributor to MICOPAX and held both the Chair and Secretary-Generalship of ECCAS during 2013, sought to maintain influence over the AU-led operation. 89 Chadian soldiers, meanwhile, were sometimes alleged to be colluding with ex-Séléka fighters during the latter's attacks against civilians. 90

As a result, UN officials began to raise concerns regarding the sustainability of the MICOPAX/MISCA arrangement from August 2013 onward. UN Assistant Secretary-General Ivan Šimonovic welcomed the deployment of MISCA as a "step in the right direction," but was forthright in a 14 August briefing to the Security Council, stating that, "a much larger and nationally more diversified force is needed to provide security and protect the population throughout the country." A September report of the UN Secretary-General reiterated that an estimated 3,500 AU troops would not be sufficient to implement MISCA's mandate. Union October the UN Security Council called on the Secretary-General to report on the planning of MISCA and how the international community might best support the operation.

At the Security Council, France took the lead in pushing for a re-hatting of MISCA as a UN-led operation. This possibility was first raised as early as May 2013 in a closed-door session of the Council by France's Permanent Representative to the UN, 95 but dynamics were not conducive for the establishment of another UN peacekeeping mission. The United States and United Kingdom were concerned about financing. Meanwhile, African member states were keen for additional support and time so that MISCA could prove its effectiveness. African solutions for Central African problems became the order of the day at the Council, despite consensus that MISCA would be incapable of fulfilling its mandate without significant international assistance. 96

As the transition from MICOPAX to MISCA suffered further delays, the UN Secretary-General presented the Security Council with an options report in November 2013, which included the possible transition of MISCA into a UN peacekeeping operation comprised of between 6,000 and 9,000 troops. ⁹⁷ At a 25 November UN Security Council meeting, following warnings of a potential "genocide" in CAR if the situation was allowed to deteriorate further, Deputy Secretary-General Jan Eliasson made

a concerted appeal for the international community to approve and deploy a UN mission. "We face a profoundly important test of international solidarity and of our responsibility to prevent atrocities," the Deputy Secretary-General said, "[and] we believe that a United Nations peacekeeping operation will be needed in the CAR." Nevertheless, the representatives of ECCAS and the AU instead urged the Council for increased support to MICOPAX and its AU-led follow-on operation, MISCA, making no mention of the possibility of a UN peacekeeping mission.

Security Council members were divided over how to proceed. The United States was unconvinced throughout 2013 that a UN peacekeeping mission was necessary. Priority was given instead to bilateral support for MISCA, while concerns about the burgeoning budget of the UN Department of Peacekeeping Operations were also an important factor. The United Kingdom sided with the United States in the push for greater support to MISCA, concerned as well with the rising costs of UN peacekeeping. African calls for more time and support to be given to MISCA were also supported by both China and Russia, who preferred a regional solution.

The result was a delayed transition from the ECCAS-led MICOPAX to the AU-led MISCA, which assumed control amid an increasingly chaotic security situation in December 2013. As one analyst noted, "the delayed transformation from MICOPAX into MISCA not only reflected the strained relations among the various actors, but also impeded an effective international response to the crisis, with fatal results for CAR's citizens." Cecurity Council diplomats confirmed that while the Council had initially committed to supporting the region in their efforts in CAR, the "toxic relationship" between the AU and ECCAS unnecessarily weakened and delayed the international response. 101

On 5 December, the day of the deadly violence in Bangui and Bossangoa, the UN Security Council finally authorized MISCA as well as an emergency deployment of French forces to take "all necessary measures" to protect civilians. The Council also called for urgent bilateral and multilateral support and established a Trust Fund for the AU force. The French Permanent Representative to the UN best summarized the response, stating at the meeting that, "The Council at last has emerged from its apathy." ¹⁰² In the following days France would deploy 1,600 troops under the auspices of Operation Sangaris (named after the red butterfly native to CAR). ¹⁰³ Furthermore, a number of countries committed financial assistance, including the United States, who offered \$100 million (US\$) in bilateral support to MISCA and also provided airlift assistance. ¹⁰⁴

The deployment of French forces and their active patrolling alongside MISCA peacekeepers initially suppressed further mass killing in Bangui. But the situation in CAR had fundamentally shifted by December 2013. The tactics employed by these peacekeeping forces sometimes exacerbated inter-communal violence in CAR. For example, the focus on disarming the former Séléka fighters inadvertantly gave the *anti-balaka* military superiority, and, coupled with the retreat of the Séléka to the north and east, ultimately enabled the forced displacement of Muslim civilians by *anti-balaka* in Bangui and western CAR. ¹⁰⁵

The situation continued to evolve in early 2014. On 10 April the Security Council passed Resolution 2149, finally establishing a UN-led mission, MINUSCA. 106 Furthermore, the European Union (EU) deployed a military operation, EUFOR-RCA, to assist the fledgling MISCA. 107 However, EUFOR-RCA only operated in two volatile districts of Bangui and the M'Poko airport. Additionally, while initially proposed in January, EUFOR-RCA's launch was delayed on numerous occasions because EU countries did not offer the necessary military and logistical support. 108 Nevertheless, once operational EUFOR-RCA played an important role in protecting Bangui's civilians, and the EU was eventually requested to prolong its deployment.

As the complicated and convoluted transition continued, it was not until 15 September 2014 that MINUSCA officially assumed authority from MISCA and the UN assumed full authority for protecting CAR's beleaguered civilian population.

LESSONS FROM CAR

The grim reality of the situation in the Central African Republic was laid bare in a 22 January 2014 briefing to the UN Security Council by four senior UN officials that had returned from an assessment mission to the country. "This crisis has been looming for over a year and we have run out of time to prevent the violence from escalating," said the UN Special Representative for Children and Armed Conflict, Leila Zerrougi. Amid reports of mass atrocity crimes, the UN Special Adviser on the Prevention of Genocide, Adama Dieng, reaffirmed his office's assessment that the threat of genocide remained in CAR. "We need to uphold our responsibility to protect Central Africans from the risk of genocide, crimes against humanity and war crimes," the Special Adviser argued. Finally, reflecting on her warning to the Council a year earlier, Zainab Bangura, the UN's Special Representative on Sexual Violence in Conflict, lamented, "today, the situation in Central African Republic has deteriorated and many of the worst

predictions have, unfortunately, come true... Clearly this could have been prevented."¹⁰⁹

The UN representatives highlighted the failure of the international community to prevent the situation in CAR from deteriorating after December 2012. Warning signs of a worsening conflict were clear and both general and specific risks of mass atrocity crimes were discernable. Peacebuilding efforts by the UN were insufficient, and the world body was ill-prepared to adapt to a complex emergency in the country. Peace operations deployed to CAR lacked sufficient numbers to deter the expansion of armed violence or halt the commission of mass atrocity crimes. The UN Security Council was slow to respond, deferring to regional actors who competed for influence.

Since December 2013, the international community has employed a number of additional measures to respond to the crisis in CAR. These include: diplomatic initiatives by international, regional and sub-regional actors, provision of humanitarian assistance and the establishment of an International Commission of Inquiry and a sanctions regime by the UN Security Council. The International Criminal Court (ICC) has also opened a new investigation, and a range of actors are currently working to establish a hybrid Special Criminal Court to investigate and prosecute those responsible for mass atrocity crimes committed in CAR since 2003. Alongside the deployment of myriad regional and international peace operations, these measures represent the willingness of the international community to uphold its Responsibility to Protect. The painful lesson of CAR is that they were implemented too late to save the lives of the thousands killed since December 2012.

National ownership

As agreed at the 2005 World Summit, the primary responsibility to protect populations from mass atrocity crimes lies with the state. The government of CAR fundamentally failed to uphold this responsibility. The corrupt regime of Francois Bozizé fomented armed conflict. As the advisory group that reviewed the UN Peacebuilding Architecture in 2015 reported:

The successive ruling elites and their entourage never demonstrated any sense of responsibility or accountability towards the populations they were meant to administer. Poor leadership and governance and the neglect of the regions must therefore be seen as the principal causes of the current conflict.¹¹¹

Furthermore, once the Séléka came to power, the group's fighters preyed upon the civilian population. Self-appointed President Michel Djotodia was unable to exercise meaningful command and control over former Séléka fighters. Both before and after the Séléka coup civilians simply could not count on either the old or new authorities to ensure their protection and often took action to defend themselves.

The transitional authorities, under President Samba-Panza, also struggled to uphold their responsibilities. Firstly, the previous national security forces had crumbled with the Séléka takeover. Secondly, a lack of capacity and resources inhibited the transitional authorities' ability to reestablish state authority throughout the territory, or even throughout the entirety of Bangui. Specific institutional inhibitors of mass atrocity crimes, such as a professional and accountable security sector, independent judicial and human rights institutions, local capacity to resolve conflicts, and media capacity to counteract incitement and hate speech, were notably absent. The country therefore required significant and decisive international assistance to protect vulnerable populations.

Early warning and response

The events in CAR also reflect the international community's difficulty in translating early warning of mass atrocity crimes into early and effective responses. Public calls for the extermination of Muslim civilians were made as early as April 2013, and from May onward warnings of escalating inter-communal tension came from organizations such as Amnesty International, FIDH and Human Rights Watch, as well as various humanitarian organizations present in CAR. However, the international community was slow to recognize the scale of the threat. With each passing month from March to December 2013, the crisis intensified, human rights violations became more widespread and tensions between communities grew more intractable. As the situation deteriorated, the international community's range of options to effectively prevent mass atrocity crimes narrowed.

The response to the situation in CAR has underscored that there are still critical gaps in the ability of the UN to translate credible early warning into effective and proximate prevention. ¹¹² Initiatives such as the Secretary-General's *Human Rights Up Front* Action Plan may serve to remedy this in the future. Launched in November 2013, the Action Plan seeks to ensure greater organizational preparedness by the UN to respond to evolving conflict situations, particularly when there is a risk that serious human rights violations could occur.

Senior UN officials, including most notably the Special Adviser on the Prevention of Genocide, the High Commissioner for Human Rights, and the Deputy-Secretary-General, were all vocal in warning about the deteriorating situation in CAR.¹¹³ However, these messages were conveyed while mass atrocity crimes were already being committed. At the field level, BINUCA lacked the necessary resources and independence to conduct its human rights work. In order to make *Human Rights Up Front* more effective, the Secretariat will have to further clarify responsibilities at the field level, and how they relate to preventing mass atrocity crimes. Specific strategies should be developed to close the early warning and timely response gap.

Furthermore, beyond putting *Human Rights Up Front*, the UN's response to the situation from December 2012 poses critical questions regarding the ability of political missions to operate effectively in complex conflict situations. This is particularly true with missions that have limited security guarantees, as was the case with BINUCA. The partial withdrawal of BINUCA during critical stages of the crisis had a negative impact on all elements of the international response in CAR. The UN was unable to meaningfully support mediation and dialogue, monitor human rights violations, address increasing humanitarian needs in the country or simply provide protection through presence.

Regional engagement

Constructive regional engagement is a *sine qua non* in multilateral efforts to address situations where mass atrocity crimes are being committed. This was a crucial missing ingredient in preventive efforts in CAR. Chad and Sudan played a particularly negative role by supporting the Séléka rebellion during the initial stages of the crisis. Chad's deployment as part of MICOPAX and MISCA was tarnished by the conduct of some of its troops, who were responsible for serious abuses against civilians.¹¹⁴

The engagement of a number of other regional powers, including the Republic of Congo, also strained the situation. The attempted international mediation conducted by Congolese President Denis Sassou Nguesso has been particularly problematic. The parallel peace talks convened under Nguesso's stewardship in Nairobi in late 2014 and early 2015 did more to exacerbate the conflict than to ease tensions between key protagonists.¹¹⁵

Some regional actors have also circumvented the UN Security Council's sanctions regime. The Council's sanctions against Francois Bozizé and Nourredine Adam have been repeatedly flouted, as the two have violated the travel ban by moving frequently throughout the region, often at the behest – and expense – of regional Heads of State. In short, the actions of some regional states actually complicated and delayed the international response, with negative consequences for peacekeeping efforts.

Peacekeeping and politics

The tardy international response to the conflict in CAR also points to the need to expand the global pool of well trained, adequately equipped and rapidly deployable peacekeeping contingents, particularly from the African continent. Constrained by regional political interests and further incapacitated as a result of a critical lack of personnel, equipment and funding, consecutive peacekeeping operations in CAR were unable to end the crisis. MISCA inherited the shortcomings of its predecessor, MICOPAX, amid a challenging security situation, which triggered a French intervention, an EU operation, and, finally, a UN-led mission.

The ad-hoc amalgam of international forces helped forestall further massacres, but their deployments were insufficient in the face of burgeoning protection needs. Consistent shortfalls in personnel, financing and equipment plagued both MICOPAX and MISCA. For example, even after a pledging conference held in February 2014 MISCA remained \$100 million (US\$) short of its operational budget of \$409 million. The financial, logistical and personnel constraints faced by both MICOPAX and MISCA have also affected MINUSCA's ability to uphold its mandate.

The response to CAR's crisis also underscores the crucial importance of effective cooperation between sub-regional, regional and international organizations. Competition between the AU, ECCAS and UN hampered the international response during a crucial period of the crisis and undermined the ability of the international community to effectively protect civilians in CAR. There is a crucial need for the UN Security Council to ensure that African peace operations have predictable and sustainable financing.

Beyond this, the international response to CAR occurred within the context of an over-stretched UN Security Council. Faced with crises in Syria, Iraq and Ukraine during 2013, CAR was simply not a priority until it was too late. Furthermore, fifty-five years after CAR's independence, the fact that France was diplomatically pressured to muster an intervention force for its former colony does not reflect positively on the Security

Council as it still relies on outdated "spheres of influence" when addressing an international crisis.

CONCLUSION

The Central African Republic remains at a critical juncture. This euphemism has been recycled in reports of the UN Secretary-General, statements by government officials and media articles on CAR since 2010. This is largely because it is accurate: the country continues to teeter between stability and collapse.

There have been a number of important developments in CAR during 2015 that provide cause for optimism. First, violence throughout the country has been reduced from levels in 2013 and 2014 as a result of the efforts of international peacekeepers, particularly Operation Sangaris, EUFOR-RCA and MINUSCA. Second, the transitional government - with significant assistance from the international community - held the Bangui National Forum from 4 to 11 May. 118 Important agreements included the signing of a ceasefire by the representatives of ten armed groups, as well as an accord struck on an electoral calendar. General elections are scheduled for 18 October, but are likely to be delayed. And third, the 3 June adoption of the law to create a hybrid Special Criminal Court marked an important step in the direction of accountability and was welcomed as having "the potential to become a new model of justice for grave international crimes."119

However, on each account there is also cause for concern. The Special Criminal Court is facing a severe funding shortfall and has yet to begin its work. Despite opening a new investigation in September 2014, the ICC is also yet to issue any indictments for those responsible for mass atrocity crimes. A number of armed groups, as well as the political party of former President Bozizé, the *Kwa Na Kwa*, have rejected the provisions of the Bangui Forum. The *Kwa Na Kwa* has also nominated Bozizé as its candidate in the upcoming election. Finally, only 31 percent of the humanitarian funding appeal for CAR in 2015 has been met. As the UN's humanitarian coordinator said, "This is an extremely trying time for everyone but it would be a critical mistake for the international community to be lulled into thinking that stability has returned to the country." 120

The peacekeeping efforts of MINUSCA continue, but the mission still suffers from personnel and logistical shortcomings. Peacekeepers have also been implicated in numerous cases of sexual abuse and exploitation, which triggered an unprecedented

request by the Secretary-General for the resignation of the head of MINUSCA, Lieutenant-General Babacar Gaye. ¹²¹ Meanwhile, protection challenges remain as UN and French forces still struggle to control periodic spikes of violence in Bangui. The *anti-balaka* and armed bandits maintain control over significant parts of the capital and engage in opportunistic violence and criminality. Confrontations between *anti-balaka* and ex-Séléka factions also continue in the interior of the country, including in prefectures that effectively split the country between North and South and East and West.

Tensions between pastoralists and agriculturalists are also rising in CAR's transhumance corridors and have led to clashes between communities. Armed groups have been drawn into this dynamic, with pastoralists affiliating with ex-Séléka factions for protection from *anti-balaka* attacks. Further deterioration in the security situation could easily derail preparations for elections. Reconciliation between communities remains tenuous at best, and Muslim civilians who have returned continue to face ongoing persecution and besiegement.

Amid these ongoing threats, international attention has largely shifted away from CAR. If the international community is serious about preventing another relapse into widespread conflict, the focus must be on long-term engagement with the authorities and people of CAR to develop institutional resilience to mass atrocity crimes. Capacities will need to be built from the ground up, such as facilitating local-level mediation, strengthening judicial and human rights institutions, and accelerating the reform of the security sector.

International response to previous crises in CAR has been ad hoc and insufficient, contributing to recurring instability and human suffering. The enduring threat of mass atrocity crimes requires sustained efforts to uphold the Responsibility to Protect. This means that immediate civilian protection efforts must be closely linked to a longer-term strategy to bring lasting peace, justice and development to CAR. These will be the benchmarks by which the international community will be judged for its response to the crisis in Central African Republic. Every effort should be undertaken to ensure they are met.

FNDNOTFS

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Glossary of Abbreviations

AU African Union

BINUCA United Nations Integrated Peacebuilding

Office in the Central African Republic

BONUCA United Nations Peacebuilding Office in

the Central African Republic

CAR Central African Republic

DDR Disarmament, Demobilization and

Reintegration

ECCAS Economic Community of Central

African States

EU European Union

EUFOR-RCA European Union Force – Central

African Republic

FACA Armed Forces of the Central

African Republic

FIDH Fédération internationale des ligues des

droits de l'homme

ICC International Criminal Court

ICG International Contact Group

MICOPAX Mission for the Consolidation of Peace in

the Central African Republic

MINURCA United Nations Mission in the Central

African Republic

MINUSCA United Nations Multidimensional

Integrated Stabilization Mission in the

Central African Republic

MISCA African-led International Support Mission

in the Central African Republic

OCHA United Nations Office for the

Coordination of Humanitarian Affairs

UN United Nations

Global Centre for the Responsibility to Protect

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