

OHCHR Mapping Report I Central African Republic (CAR)

Attacks against peacekeepers



The report, documenting violations that occurred in the Central African Republic (CAR) between 2003 and 2015, shows that a distinctive feature of the multiple conflicts in the country has been disregard by many of the parties to the conflicts of fundamental principles of international humanitarian law. This includes the obligation of parties to an armed conflict not to direct attacks against personnel and objects involved in a peacekeeping mission, so long as they are not directly involved in hostilities.

Legal protection of peacekeeping missions

The prohibition to direct an attack against peacekeepers is a rule of customary international humanitarian law. In addition, under the ICC Rome Statute², in a non-international armed conflict – such as in the CAR – "intentionally directing attacks against personnel or objects involved in a **peacekeeping mission** in accordance with the Charter of the United Nations" is a war crime. To benefit from this protection from all forms of attack, peacekeeping missions need to retain their status as civilians and civilian objects under international humanitarian law.

The Mapping Report documents several attacks against peacekeeping forces between 2003 and 2015. Below are illustrative incidents:

2003

15 March

During the 15 March 2003 coup, the "libérateurs" of General François Bozizé (soldiers and mercenaries, who assisted Bozizé in his rebellion) killed three Congolese soldiers from the FOMUC peacekeeping force at the residence of President Patassé, in Bangui (Ombella M'Poko).

2013

25 December

Anti-Balaka elements killed five Chadian MISCA soldiers in the Gobongo neighbourhood of Bangui (Ombella M'Poko). The soldiers were attacked as they were trying to remove road blocks erected by anti-Balaka in the area.

5 Killed

2013

26 December

At around 10 p.m., ex-Séléka elements opened fire on a MISCA patrol, near the Camp de Roux, in Bangui (Ombella M'Poko), killing two Congolese police officers and injuring four others.

2014

16 February

Anti-Balaka elements attacked a road convoy of 89 vehicles transporting many people fleeing the conflict at Beloko (Nana Mambéré), along the Route Nationale n° 3, close to the border with Cameroon. The convoy was escorted by MISCA forces. Some anti-Balaka shot at the MISCA peacekeepers while others attempted to mount onto vehicles to harm passengers. During the incident, 12 passengers were wounded.

3 Killed

2014

9 October

Armed men presumed to be anti-Balaka killed a Pakistani peacekeeper and injured seven others in an ambush on a MINUSCA convoy in PK11, Bangui (Ombella M'Poko), during which six MINUSCA and other United Nations vehicles were shot at.

2015

20 January

Anti-Balaka elements kidnapped an international MINUSCA staff member Bangui (Ombella M'Poko). He was released the same day.

2 Killed 4 Injured

Seriously Injured

2014

22 March

Anti-Balaka elements attacked

and seriously wounded several

MISCA soldiers, notably from

the Congolese and Rwandan

and Fouh neighbourhoods of

Bangui (Ombella M'Poko).

contingents, in the Combattant

12 Injured

2015

September and October

During the violence of September and October 2015 which erupted following the discovery on 26 September 2015 of the mutilated body of a Muslim teenager, MINUSCA forces came under attack from armed elements in areas across Bangui (Ombella M'Poko). At the time, MINUSCA forces reported that on numerous occasions, suspected anti-Balaka elements surrounded themselves with children and shot at MINUSCA forces, apparently using children as human shields.

2015

28 September

Ex-Séléka/UPC young fighters attacked MINUSCA troops in Bambari (Ouaka). They also pillaged and burnt down 22 houses in the Christian neighbourhood of Bambari.

1 Killed 7 Injured

1 Kidnapped

Forces came under attack

Forces came under attack

Conclusion and recommendation

The report concludes that several attacks against peacekeepers could, if proven in court, constitute war crimes. The report also highlights that while attacks against peacekeepers are grave in their own right, the persistence of such attacks in total impunity, impedes efforts to provide security and to deliver humanitarian assistance.

The report recommends that such attacks against peacekeepers are considered as a priority area for investigation in the prosecution strategy of the Special criminal court.

¹ ICRC, Customary IHL, Rule 33.

² See article 8 (2) (b) (iii) of the ICC Rome Statute