



Attacks against protected objects

According to the Mapping report, between 2003 and 2015, a distinctive feature of the multiple conflicts in the CAR was the disregard of fundamental principles of international humanitarian law by many parties to the conflicts. This included failing to respect the protection that is afforded under international humanitarian law to hospital facilities, schools, and buildings dedicated to religion. The report documents multiple incidents during which armed actors attacked and pillaged medical facilities, occupied or destroyed schools, and destroyed religious buildings.

● Legal protection of some objects under international humanitarian law

A core rule of international humanitarian law is that parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Civilian objects are protected against attack, unless and for such time as they are military objectives. Schools, hospitals and religious buildings are – in principle – civilian objects and protected as such. Special care must be taken in military operations to avoid damage to buildings dedicated to religion or education unless they are military objectives. International humanitarian law also specifically protects hospitals and medical units.

In addition, under the ICC Rome Statute, in non-international armed conflicts, it is war crime to intentionally direct attacks against **protected objects, namely buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected.** To benefit from this protection from all forms of attack, the protected objects must not be used by a party to a conflict for acts harmful to the enemy.

● Scale and types of attacks against protected objects in the CAR

The Mapping Report documents a large number of attacks against the above-mentioned protected institutions and objects, including:

Attacks against schools and hospitals

<p>2012 December</p> <p>The Séléka attacked Ndélé. They pillaged most administrative buildings and institutions, including the schools (<i>Ecole Préfectorale and Ndélé Lycée</i>) and the hospital. They used the elementary school (<i>Ecole Préfectorale</i>) as their military base, and burnt the furniture as firewood.</p>	<p>Dec 2012 to Jan 2013</p> <p>The Séléka occupied schools and pillaged hospitals in Kaga-Bandoro. They destroyed the elementary school, and removed all doors, furniture, windows and metallic roofing before evacuating the premises.</p>	<p>Dec 2012 to Mar 2013</p> <p>The Séléka attacked and occupied Sibut. They notably occupied one of the schools, the <i>Lycée Moderne de Sibut</i>, where they removed all windows, doors and steel sheets before evacuating the building.</p>	<p>2014 April</p> <p>Armed individuals suspected to be ex-Séléka fighters attacked the principal hospital in Boguila, which was run by MSF. At gunpoint, the fighters took away valuables from the hospital, and shot and killed at least 16 unarmed civilians in the premises, including three MSF staff. Following this attack, MSF – which was providing medical services to 45,000 people in the area – suspended its operations for several months.</p>
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Attacks against buildings dedicated to religion

<p>2013 14 April</p> <p>During mass at the <i>Église des Frères</i>, at the Cité Jean XXIII, in Bangui, Séléka members threw an explosive device into the church, killing seven people and seriously injuring 30 others. Four children injured during this attack had to have their legs amputated.</p>	<p>2013 December</p> <p>Pillaging and destruction of buildings dedicated to religion by anti-Balaka elements and civilians, who attacked and destroyed about 20 mosques in Bangui, out of a total of 23 Mosques in the city.</p>	<p>2013 December</p> <p>Anti-Balaka elements, as well as civilians, attacked and destroyed around 20 religious buildings in the Ombella-M'Poko prefecture. In Boali and Bossembélé for instance, they destroyed almost all the mosques.</p>	<p>2014 17 January</p> <p>After the ex-Séléka left Boali, around 300 armed anti-Balaka entered the town, killed at least four Muslim civilians, wounded around 20 and pillaged and destroyed three mosques.</p>	<p>2014 28 May</p> <p>Ex-Séléka elements – apparently in retaliation for the killing of the three Muslim youths – threw grenades into the Church of <i>Notre Dame de Fatima</i> in Bangui, where thousands of displaced people had taken shelter, killing 11 people, including a priest.</p>	<p>2014 8 September</p> <p>Three ex-Séléka fighters invaded the evangelical church in Ngakobo village, and shot and killed nine people, including the pastor.</p>
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● Conclusion and recommendations

The report finds that several incidents of attacks against protected objects during the course of armed conflicts in the CAR could, if proven in court, constitute war crimes.

The report therefore recommends that the investigation priorities of the Prosecutor of the Special Criminal Court take into consideration the extensive campaigns of pillage by armed groups, including those directed at schools, hospitals, and health centres.

The numerous attacks aimed at appropriating or destroying valuable resources at the expense of already impoverished communities, had major repercussions as they deprived civilians of the enjoyment of fundamental economic and social rights (health, housing, food, shelter, education). These incidents should also be viewed in the context of repeated attacks against protected objects under international humanitarian law, including educational institutions, health facilities, charities, religious buildings (churches and mosques) and the premises of humanitarian organizations.