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The Janus face of water in Central African Republic (CAR): Towards an instrumentation of natural resources in armed conflicts

L'eau en République centrafricaine : « les visages de Janus ».

L'instrumentalisation des ressources naturelles dans les conflits armés

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The Janus face of water in Central African Republic (CAR): Towards an instrumentation of natural resources in armed conflicts

Isidore Collins Ngueuleu Djeuga¹

“Of all ‘things’, water is among the least cooperative of subjects to be contained in” (Linton, 2006). Water is certainly not easy to understand. In his PhD dissertation aiming to understand water, Jamie Linton clearly admits that “Water is an ambiguity that is impossible to pin-down”. It is certainly the transformative character of water that makes it more complex. Falling in a cycle, it appears in many representations including drinking water, ground water, rainwater, etc. that is in an ongoing collaboration, or conversation, between people. Therefore “water is nothing but what we make of it” (*ibid.*): we want to pin it as ultimately connected to humans and their environment.

When water is perceived as a resource in humans’ territory it reflects the way or strategy they struggle to satisfy their needs in energy and information (Raffestin, 1980). It is also a resource they want to affect, influence, or control in a given area they identify themselves (Sack, 1986). There is therefore in water a social and even an economical dimension which is important to raise up. Among different references and roles it can have, we define it as a territorial resource in the sense that it is the place where different social actors exercise their contradicting or complementary power. It is a place, an instrument and a behavior. When following Raffestin reasoning, water could be considered as a strategic resource over which conflicts can emerge. In fact, strategic resources can be at the origin of conflicts mainly in a context of poor political system with no security and accountability. Paul Collier (2010) in the case of natural resources defends the theory of resource curse in many African

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countries through the importance communities attach to these resources and how they can provoke conflicts and even fuel them. A resource is a collective product and access to it is based on a political decision. The main issue with resources is their access. The whole problem of access is access in space and/or access in duration (Raffestin, *op. cit.*). The first political issue which arises with regard to water is therefore access. Access to water refers to its durable availability in terms of space and time for everybody. But access to water is also a human right since international law instruments require State to ensure everyone's access to a sufficient amount of safe drinking water for personal and domestic uses, defined as water for drinking, personal sanitation, washing of clothes, food preparation, and personal and household hygiene (OHCHR, 2010). There is therefore a perception of access to water as a social conflict but also a legal obligation that I want to pin here.

In a study published in 2005, Nguimalet *et al.* revealed that in Bangui, the capital of the Central African Republic, there has been a qualitative deficit in water supply for the population during the last decades. The failure of the State to provide sufficient clean water due to outdated character or absence of the water supply network led to social conflicts between the State, the water supply company and the population. Yet, a social conflict, that was existing prior to the current violent conflict that is destroying the country since 2013, has evolved and now presents a Janus face, being both an object of conflict and an element of conflict resolution. Water as a key resource is presented in a different perspective and is worth to crystallize attention.

The last decades in CAR have undergone several brutal conflicts with a huge proliferation of small arms across the country. The conflict that broke down in March 2013 between anti-balaka militias and Seleka is still destroying the country with gross human rights violations and an unprecedented humanitarian situation with a lack of access to vital resources. Seleka rebellion has been dissolved since and is now known under the name ex-Seleka. The proliferation of armed groups and weapons across the country has exacerbated existing conflicts including water conflict and has transformed them.

From the beginning it was obvious, that the crisis was neither a religious nor an ethnic conflict but rather a politico-military one. In CAR, religion and, more broadly, national identity, have been manipulated by elites behind these two armed groups to further political and economic goals, basically to attain or maintain power, to take control over natural resources and to achieve personal gain (Deiros, 2014). This manipulation has been possible due to the failure of State in CAR. The two fighting groups, Ex-Seleka and Anti-balaka led by political and economical interests (Weyn *et al.*, 2014) have progressively installed the chaos in the country by transforming high populated cities like

Bangui and Bambari into urban guerrillas. Unfortunately the two groups were driven and manipulated by political actors of two distinct religious and ethnic communities leading to a recuperation of the tribal and religious factors in the conflict dynamics. The Christian and Muslim factors have therefore strongly exacerbated the conflict since each group was pretending to protect its community. According to Louisa Lombard (Carayannis et Lombard, 2015)²: “If the violence was expressed using the religious idiom, it has less to do with doctrinal differences or hatred, and more to do with the uncertainty, mistrusts and manipulation whose unfortunate long roots in CAR are bearing fruits” (*ibid.*). From armed groups with military structures, the conflict is turning today into a confrontation between communities that are being strongly militarized. The conflict has thus shifted from a confrontation between anti-balaka and ex-Seleka in various neighborhoods mainly the most affected of 3rd, 5th and 4th districts of Bangui. In 2005, almost 50 000 weapons were circulating in country out of State control (Berman and Lombard, 2008). Today, the situation of uncontrolled arms and armed groups has been highly exacerbated and is increasing clashes between communities. With a high proliferation of small arms, access to key resources is threatened by a domination dynamics of neighborhoods by local armed groups, militias or simple bandits. The presence of weapons into communities and neighborhoods is a threat to vital resources like water.

In urban areas like Bangui, fighting between militias of various districts is impacting important infrastructures and commodities. Water is one of these resources that is important for communities and that is trapped in the conflict. Until now, the conflict analysis around water has always been presented on the aspect of scarcity of resources. In this context, we explore if the place of water in the CAR conflict follows the same approach or a different one where it is likely to be victim, target or weapon in a conflict (Remans, 1995).

This analysis focuses very much on the situation in urban areas, taking Bangui as the main illustration. There are some references to rural areas that help us supporting our reasoning but it is clear that those reference a purely bibliographic, unlike the evidences on Bangui and Bria that we collected during our work with humanitarian organizations in the country. The methodology of this paper is therefore a mixed of literature review and interviews conducted in Bangui and Bria among tens of aid workers within three humanitarian organizations, and six State and national company officials. We have personally interviewed 20 individuals within the local population and exploited several testimonies recorded by NGOs.

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2. Currently, Louisa Lombard is one of the well-known specialist of CAR conflicts history.

I - The deterioration of the access to water-related conflict

“The use of water in warfare is as old as warfare itself. Not only has it been a factor but it has played many different roles in armed conflict” (Ure, s.d.). In CAR belligerents have used water in many ways including polluting water facilities, destroying water pipes, denying access to water points and denying humanitarian access. These phenomena irreversibly lead to lack of access to water and disease related to quality of water. Not surprisingly, the access to water has solely been deteriorated during the conflict since it was already an issue before, at the point to represent social conflicts between key stakeholders.

1 - Access to water before the conflict

In Bangui and in CAR in general, the State has failed to provide water to all. Hence Network failure to provide potable water to all, forcing urban residents to consume polluted water from traditional wells, and “doubt” expressed by citizens about the quality of tap water has created social mistrust during the last decades. The problem is not therefore in terms of water scarcity because the country is located in an area where it rains nine months in the year (Nguimalet *et al.*, 2005, *op. cit.*). So there is a variety of water resources in the country, including rainfall, rivers, wetlands and aquifers. It is clear that the quality is the epicenter of conflict in the CAR context (*ibid.*).

Figures on access to water in CAR prior to the conflict were highly discordant. Two institutions provided figures that are difficult to reconcile. In 2008 the Joint Monitoring Program (JMP) claimed 67% of the population had access to safe water and 34% had access to sanitation while the National Office for Water Planification – Direction générale de l’hydraulique (DGH) – said it was respectively 30% and 5%³. The figures proposed by DGH are the most commonly accepted by all actors in the country, so they will also constitute our baseline. In Bangui, the population has grown in an anarchic way and has made access to water more difficult and conflicting. The 6th, 4th and 8th districts of Bangui for instance, between 1988 and 2003, have had the highest rate of growth between 68% to 87% (Nguimalet, 2007) while the 1st, 2nd and 3rd districts were characterized by the standard of living (1st), the saturation of the viable space or to be conquered (3rd) and the obstacle of Oubangui river and its bed of flood (2nd) (*ibid.*). These “popular” neighborhoods, often installed without any planning, make up about 80% of the area of the city

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3. AMCOW, Approvisionnement en eau potable et assainissement en République centrafricaine : Traduire les financements en services, à l’horizon 2015 et au-delà, <http://www.wsp.org/sites/wsp.org/files/publications/CSO-CAR-Fr.pdf>, p. 8.

which is under-equipped and lack access to safe drinking water. They are therefore confronted with frequent water shortage and large drinking polluted water drawn from traditional wells, with known risks (Nguimalet, 2005). So in Bangui traditional wells have become the water supply current mode mainly in highly populated districts. In those neighborhoods, a conflict between consumers, the State and the water company has erupted, due to the quality of water people are obliged to drink (*ibid.*).

**Figure 1 – Traditional wells used by communities in the country
(Pablo Tosco, Oxfam Bria 2015)**

The situation is similar or worse in the rest of the country. The Ouaka Prefecture that covers also Kémo, and Nana-Grébizi is one of the most disadvantaged in terms of access to safe water and sanitation. Only 37% of rural and 31% urban population have access to drinking water. The wells are traditional type, mostly dried up during the dry season, and the sources are not furnished. Conflicts exist around water points: communal (indigenous/Fulani) and intra-communal conflicts. They are aggravated in the dry season with the scarcity of the resource⁴.

It appears that in at least the two biggest cities of CAR, before the conflict there was already a water crisis that was characterized not by lack of water but by a bad management of the access to population to safe water. “Conflicts arising from the management of the quality of the treated water are complex

4. Croix Rouge française, *Amélioration de l'accès à l'eau potable et à l'assainissement de base, ainsi que des pratiques d'hygiène pour les populations de la sous-préfecture de Bambari*, 2011, http://www.pseau.org/outils/actions/action_resultat.php?ac%5B%5D=1229&tout=1

in the case of the city of Bangui. They are not open, latent, are not legitimized by any act of complaint from one of the actors in a court of the country” (Nguimalet, 2005, *op. cit.*). This social crisis over water that mainly consists on enhancing an equitable access to water will be exacerbated during the conflict and become violent. Water will become a place and instrument of violence.

2 - The use of water during the conflict

Mostly in populated areas of Bangui the conflict has affected water. As described by Nguimalet there was already mistrusting between the main three actors: the State, the Water Company and the consumers. During the conflict the mistrust that has arisen between communities will also affect their access to water and their common relation to water.

a - The pollution or contamination of water facilities

The majority of the population in big cities relies on very few and old public water facilities and mostly on private wells and fountains for drinkable water and for other domestic needs. These facilities and pipes are visible and reachable in almost all districts. After strong fighting between communities, many people have testified that wells were populated with dead bodies. This has been recurrent at every upsurge of violence since ex-Seleka *coup d'Etat* in 2013 until the recent violence of September and October 2015.

In some neighborhoods of the 5th district of Bangui like Sénégalais Baidi, Bazanga, Gala-Baba, many clothes and corps were discovered in wells. Similarly in the 3rd district, neighborhoods like Fondo, Yambassa, Camerounais Nord, Ramandji, Bloc Sara, Yakite, Bibale, Boulata, Kokolo, were highly impacted by the conflict, and there also, bones of dead bodies were found in wells. In Sénégalais Baidi, during the last upsurge of violence in Bangui, three kids were killed and buried in their parent's well. In the 3rd district of Bangui, IRAD, a local NGO partner of Oxfam, has collected testimonies of presence of dead bodies in almost 20 wells, with around two to three testimonies for each well. This could amount to more or less 60 people testifying of having or knowing at least one person that has been buried in a well.

This reality is not limited to urban areas where the conflict has been more violent and deeply community based. In Bria, in the Eastern region, it was witnessed in the Christian neighborhood AmBadrou that was attacked by ex-Seleka, that wells were polluted by dead bodies. During a Rapid Response Mechanism, multisectoral evaluation on Bouar-Bocaranga road in the Western region, Action contre la faim (ACF) reported that “Many wells with the presence of human bodies have been reported by the population

and humanitarian actors and assumed that this could have consequences of contamination of ground water, particularly in the rainy season”⁵. The International Commission of Inquiry on the Central African Republic final report also mentioned in Bozoum during Ex-seleka rebels’ attacks, many Christians were killed and their bodies were disposed of in the Ouham River⁶.

While the pollution of wells with dead bodies is still ongoing at every upsurge of violence it is not the only phenomenon that has been observed. Wells and latrines were also contaminated with explosives and lethal arms such as grenades and ammunitions. The degree to which explosives could be present in latrines and wells is still unknown.

b - Destructures of water pipes

In some neighborhoods of Bangui, the SODECA, the national water company was able to distribute water to up to 52% of the population before the crisis⁷. With the crisis, this has drastically been worsened. In places where the fightings were highly violent, wells, water pipes, stations and pumping have been systematically destroyed. Today only less than 20% of the population is reached. Many infrastructures have been destroyed and SODECA material looted. This is a reality in a city like Bangui but also in rural areas.

In a big city like Bangui, one broken water pipe in a locality like the 3rd district hosting both Christians and Muslims can deprive 100,000 people of drinking water. In some neighborhoods, the only working fountain being behind front lines, has pushed the population to break pipes in order to have water, depriving therefore the others from their access to water.

II - The springs of the deterioration of access to water: an intentional logic?

In a war, anything can be a weapon or at the origin of the conflict. Water is a cause of a war when, because of its scarcity, a conflict breaks down between communities in search of the control of the resource. It is obvious that the CAR conflict is neither caused nor motivated by a lack of water. Rather, when water is not at the origin of a conflict it can play a great role in being

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5. UNICEF and ACF, *Évaluation multisectorielle RRM, Rapport préliminaire*, 15-17 mars 2014, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/CAR_ASS_140317_ACF_RRM_Rapport%20pr%C3%A9liminaire%20d%20evaluation_Axe%20Bouar%20Bocaranga.pdf

6. United Nations Security Council, *International Commission of Inquiry on the Central African Republic final report*, S/2014/928, December 2014.

7. Interview with SODECA head of project of water distribution during the crisis.

a tool for belligerent or collateral damage during fighting. The intentionality and the proportionality of the phenomenon are the two criteria that allow differentiating between the two. The big question therefore is: could the destruction and pollution of water facilities be a premeditated tactic of war? It appears that in some instances water was just caught into the course of the conflict or used without premeditation but in other cases, there was a clear will to use water to inflict suffering to the enemy.

1 - Water as a victim of the conflict

For communities whose wells have been polluted, and for the National NGOs working to rehabilitate them, three main motives can explain the use of water facilities as tombs: the hide of an odious crime, the will to continue living at the place where the crime was committed and the riddance of arms and explosive by ex-combatants.

In fact, in many African conflicts hiding corps in wells after extra-judicial killings is a common practice used by belligerents⁸. In general for armed groups it is an easy way to hide their crimes. These mass graves appear as simple solutions for warlords who, most of the time, are aware of sanctions provided by international criminal law, concerning the crimes they have allegedly committed. Other witnesses think that the use of wells also appears as a practical solution for the perpetrators. In fact, in mixed neighborhoods where Christians and Muslims lived together it was easier for one or another community if they wanted to continue living in the neighborhood to bury their enemies in wells and latrines. This dynamic also goes for combatants that wanted to hide their weapons during December 2013 forced disarmament of ex-Seleka by French forces. Many have thrown their grenades and other small and light weapons into latrines. For all these scenarios, water facilities have always appeared as a simple victim, because there was no intention from combatants to use water against the other community.

In the case of the destruction of water facilities two main reasons have been explored: the predatory use of water and its tactical use during combats (this will be developed later). In fact, the incapacity of SODECA to continue providing water and the contamination of wells have provoked a water crisis that has obliged militias from each communities to break water pipes to get water. Mainly in the 3rd and 5th districts, many pipes and fountains have been destroyed by militias in order to get access to water when there was a shortage. In these districts, the SODECA was obliged to collaborate to self-

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8. Cf. Amnesty International, *Côte d'Ivoire. Des puits susceptibles de renfermer des charniers doivent être fouillés*, <https://www.amnesty.org/fr/latest/news/2013/07/cote-d-ivoire-well-holes-suspected-be-mass-graves-must-be-excavated/>, July 2013.

**Figure 2 – Destroyed water point in Bangui, PK5 neighborhoods
(Pablo Tosco, Oxfam Bangui 2016)**

defense groups to repair the destroyed facilities. In the contrary, in the 4th and 8th districts anti-balaka militias have deliberately broken water pipes to get a free access to water. Many pipes and other key materials have been dismantled and sold by militias. Profiting from war has always been a juicy business for combatants but it has rarely been acknowledged that water facilities and commodities are sold to empower combatants. Once again, water or water facilities are instrumentalized in the conflict but not directly used against communities.

2 - Water as mean and method of war

To use water as a mean and method of war, belligerents have considered the importance of water for communities and its survival character. In the above mentioned neighborhoods where the majority of water facilities have been affected, water is a civilian object rather than a military one. Nothing can therefore justify its attack. Civilian objects benefit from a general immunity from attacks in armed conflict. This is because of their dissociation from the legitimate aim of war, which is to achieve victory over the enemy (Jorgensen, s.d.). Water used for domestic needs by civilians is protected by the law of conflicts, but the “militiarization” of communities has turned it into a military objective for gangs of each community.

The importance and the survival character of water in CAR can explain why it has been used as a mean of war. In peace time, water already occupies

an important place in communities' lives because it is a sign of solidarity between those who can afford to have their own facilities and those who cannot. Water is also a sign of private property and belonging to a community and to a specific geographic area. It has appeared in the varied cases of the use of water during the CAR conflict, that in some cases, there was a clear intention to inflict sufferings to the enemy and therefore to use water as a military tool. In Bangui mainly, water facilities were destructed to deny access to water to the other community as well as chasing the community out. In rural areas, violence against young girls in sources has blocked access water to their communities, while humiliating them.

a - The intentionality of belligerents

The intention of conflicting parties is an important determinant since it relies on two aspects: the will to inflict sufferings and humiliate the enemy and the will to deny them access to basic rights. Militias in each community have not only randomly targeted water facilities during fighting but have used them as military tools to destroy the enemy. Throughout the history of wars it is well known that water can shape history: make or break a king, be an oppressive instrument or even a weapon of war⁹.

In the case of CAR, some destruction of infrastructures was more than just predatory and has followed intentional approach of chasing Muslims communities or asphyxiating them. While their houses were systematically destroyed, it was logical that the fountain kiosk¹⁰ they were also managing were either destroyed or confiscated. The destructions of Muslims properties were done in the intention of chasing them out of the country. Water properties were also part of this dynamic. In addition, many localities where Muslims lived when they did not leave the country were transformed into enclaves with no freedom of movements. This was following the intention of asphyxiating them without any resource and this has included destroying water pipes supplying their neighborhoods (Human Rights Watch, 2014). During the renewed violence of September 2015, the two conducts supplying the Muslims neighborhoods were destroyed at the same time, with the electrical circuit and the establishment of barricades leading to PK5.

Similarly, civilians of rural areas that strictly use water of rivers or fountains are systematically attacked and raped on their way to fetch water by armed groups of the other community. In Bria, women cannot access the Kotto River before 9 a.m. or after 16 p.m. They must go in groups accompanied by a

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9. *Le Monde*, 28 janvier 2000, p. 27, quoted by Théo Boutruche « Le statut de l'eau en droit international humanitaire », *Revue internationale de la Croix-Rouge*, n° 840, 2000.

10. Fountain kiosks are private water facilities used for commercial end by private actors.

man. On the roads of Irabanda and Ouadda (Boungou 1) women are confronted with serious problems with some Fulani herders that prevent women from accessing sources, prioritizing their livestock to access water. This creates a climate of terror mainly for women, girls and young boys that are deprived of water in conflict and post-conflict time in CAR. In a discussion with the women of Kokolo 2, a neighborhood of the 3rd district of Bangui and Bimbo 4, a suburb of Bangui, they reported that some of them were abducted and raped while collecting water. Similarly, displaced women in the well-known M'Poko site, the IDPs site inside the airport of Bangui, were also raped when they went out to fetch water outside the site at the time of breaking of water supplies on this site. They affirmed that daily, three to five women were raped in different places, especially young girls and adolescents on their way to fetch water.

b - Access denied to aid workers

If water was important for communities before the crisis it has now become a vital resource in CAR. Despite the already limited access to water for all communities it is now targeted or used to inflict sufferings to the enemy. In cases where International NGOs, like Oxfam, have tried to rebuild or rehabilitate water facilities, through water kiosks where people can have public and permanent access to water, the belligerent of both sides have always strategically broken pipes that supply the neighborhoods of the other community. This is currently the case in Bangui where communities in 3rd and 5th districts suffer from permanent disruption of water distribution due to militia's criminal destruction of the water network.

In addition to destroy new water pipes, militias, gangs and auto-defense groups also threatened aid workers and denied them access to victims of the other community. The enclavement of some Muslims neighborhoods of KM5 in the 3rd district of Bangui also participate of the general tactic of war that consist of asphyxiating the enemy community by targeting vital resources like water and those who are supplying it. The agent of the national water company SODECA, are terrified when they are required to repair water pipes in neighborhoods where militias are operating. For aid workers, providing water in a context where the humanitarian space is tensed and flared-up has always been complex, but when the assistance (in this case water) provided is considered as a weapon of the conflict it becomes much more challenging.

c - Proportionality of the phenomenon

The destruction of houses and properties has occupied an important place as well as the contamination of water facilities. It was already reported in previous conflicts of 2004 and 2006 that fighting between government army

and rebel groups have led to destruction of wells and contamination with dead bodies (Berman and Lombard, *op. cit.*, p. 114). In the current conflict, the systematic character of polluting wells with corpses¹¹ still needs to be explored in most affected neighborhoods, since there are no figures at national level while persistent testimonies are collected. It is therefore difficult to know to what extent this has affected the country and what role it should play in the future.

In conclusion, in both cases, water appears as an instrument of violence since its use in the conflict aggravates the already dire humanitarian situation. It is already obvious that water is not anymore only a simple victim of the conflict but is also used to inflict sufferings even if the proportionality of such practice is still ignored.

III- Humanitarian intervention in the fight against the degradation of access to water

Currently in CAR, less than 35% of the population has access to safe drinking water and adequate sanitation facilities, causing serious problems in congested IDP camps and conflict affected neighborhoods across the country¹². In 2008, the Direction générale de l'hydraulique (DGH) planned that in 2015, 60% of the population should have had access to water and 65% to sanitation. It is clear that the conflict has strongly deteriorated access to water. It has created a dramatic humanitarian situation with almost a million people displaced across the country in 2013. In 2015, the number of IDPs has dropped down to almost half a million and 43 humanitarian organizations are working on the field of water and sanitation to alleviate their sufferings¹³. The Humanitarian Response Plan (HRP) has estimated that 2.5 million people which are half of the population were in need of water assistance¹⁴. This means that aid workers were not targeting all people potentially in need. How can humanitarian aid better ensure safe access to water in a context where it is not only scarce because of the conflict but also has become an instrument of violence?

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11. FIDH - Centrafrique : « Ils doivent tous partir ou mourir », Rapport d'enquête, 2014.

12. UNHCR, Central African Republic Situation: Regional Refugee Response Plan (RRRP), Monthly Regional Overview - July 2015, p. 1. <http://reliefweb.int/sites/reliefweb.int/files/resources/150831CARRegionalOverviewJuly%5B1%5D.pdf>

13. Office of Coordination for Humanitarian Affairs (OCHA), *2015 Central African Republic Humanitarian Response Plan*, November 2014, Prepared by the humanitarian country team, p. 28.

14. *Ibid.*

Figure 3 – Water point rehabilitated by an International NGO in Bangui, PK5 neighborhood (Pablo Tosco, Oxfam, Bangui 2016)

Humanitarian aid appears as a response to the crisis created by water conflict but should be able to go beyond the sole objective of responding to an emergency and become the link to more peaceful and durable access to water which should shift from a conflicting approach between stakeholders to a more right-based resource.

1 - Beyond emergency: The importance of mainstreaming protection in Water, Sanitation and Hygiene (WASH) programs

The emergency approach of humanitarian intervention not only doesn't reach all people in need but is also limited in space and duration. The accessibility issue that led to the conflict is therefore not addressed. When it is right based the intervention targets more people including both those in needs of immediate assistance and those who are vulnerable.

The current reality is that the humanitarian aid is unfunded and does not cover even those that were targeted by the HRP. On the \$532 million requested for the 2016 Humanitarian Response Plan only 37% has been covered¹⁵. Of the \$36,6 million needed for Water, Sanitation and Hygiene (WASH) only 26% have been met¹⁶. Therefore, while militias are doing war through water, humanitarian actors should supply water that represents an instrument of peace. In fact providing water in IDPs sites and in affected neighborhoods,

15. Tracking Global Humanitarian Aid Flow, Report as of 10-Jan-2017, <https://fts.unocha.org/pageloader.aspx?page=emerg-AlternativeCost1EmergencyDetails&appealid=1136&emergID=16613>

16. Humanitarian Response Plan: Central African Republic 2016, Requirements and funding per cluster, Report as of 10-Jan-2017, <https://fts.unocha.org/pageloader.aspx?page=AlternativeCosting-AltCost1Reports&appealid=1136&report=AltCostCluster&filetype=pdf&altcostid=1>

decontaminating wells or rehabilitating water pipes constitutes a significant relief to civilians that are trapped in a conflict where water occupies a key role. So while acting in the emergency time, protection activities should be mainstreamed into projects to change the conflicting perception of water into communities. Community groups, especially WASH committees should be diverse and gender balanced. Community ownership of water and sanitation facilities is preferred as it is likely to lead to better community maintenance and contribution¹⁷. Building peace or protecting civilians without assuming the role that water is playing in this community will lead to a partial solution where the way to fetch water can lead to greater human rights violations for civilians such as sexual and gender-based violence. Protection mainstreaming therefore means that affected people have safe access to assistance. This includes inserting in water and sanitation projects, activities to avoid gender-based violence and conflicts around wells. Building new wells or water points in conflict affected areas can become at a lesser point useless, and at the worst mortal, if fighters consider it as a key resource to control. The role of protection in this context is to assess the risk for beneficiaries of being trapped in fighters' clashes around new water points.

Beyond this humanitarian aspect, water should be protected. "Yet, even though the international community has made great strides in the attempts to protect people and communities, there is one resource, water that has not been sufficiently protected" (Jorgensen, *op. cit.*). The human right perspective appears therefore as the strongest guarantee one can give to communities for a peaceful access to water (Ure, *op. cit.*). This human right approach allows providing an assistance that aims to be durable and equitable.

This supposes an aid that links the emergency phase with the development one as well as bridging people that are displaced with others. Forcibly displaced people benefit from humanitarian assistance but they are often excluded from programs and activities carried out by development and institutional actors with the result that their developmental needs are neglected and no opportunities for self-reliance are created. At the same time, vulnerable host populations might not benefit from humanitarian assistance, leading to potential tensions and conflicts between communities and further displacements. Proposing for instance water solutions that support Internal Displaced Persons (IDPs), hosting population and transhumant breeders will certainly respond to an emergency but at the same time will contribute to social cohesion and reconciliation between communities.

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17. World Vision international, *Minimum Standards for Protection Mainstreaming*, section II, para.3, p. 40.

2 - Putting water in post-conflict reconstruction priorities

In the post-conflict reconstruction, water should be prioritized in two sectors: Transitional justice mechanism including justice and reconciliation and humanitarian and development aid programs.

Fighting impunity during post-conflict reconstruction in CAR shouldn't overlook that targeting water facilities and using water as a weapon is a breach of international humanitarian law and can also be a war crime¹⁸. In fact many provisions of International Humanitarian Law prohibit fighters to consider water as military objects or simple targets. In addition to achieve transitional justice process, mainly reconciliation and truth telling between communities, it would be crucial to consider the conflicting place of water in CAR communities. Yet, before the crisis, populated neighborhoods of Bangui represented 79% of the urban area with only 13km² covered by water facilities network. This surface, was already considered as a place with possible water related conflict due to lack and bad quality of water distributed (Nguimalet *et al.*, 2005, *op. cit.*). The place water has occupied in the current conflict has been highly observed in those poor and populated areas. Hence Transitional justice mechanism should focus on the issues relating water to the conflict including the pollution of wells by dead bodies, the destruction of water facilities and the gender based violations against people looking for water. In fact, in the first case, for many communities the burial of a body following traditional practices is essential. Many families did not bury properly their relatives and suspect their bodies being thrown in their neighbor wells or by their neighbors. So, to facilitate forgiveness and reconciliation it is important to exhume bodies in wells and restitute them to families allowing them to properly make their mourning. While there is a need to furnish water to alleviate sufferings, it is also indispensable to rebuild communities where water, rather than being source and weapon of conflict is an instrument of peace and a source of life.

For the international community, the biggest actions to take are prioritizing the end of the conflict and fighting against a strong proliferation of small arms within communities. In fact, the transformation of the conflict around water from social crisis to violent fighting was made possible thanks to a wide dissemination of weapons among communities. Human rights violations in water points were not only perpetrated during massive attacks against civilians but also are the consequences of day to day impairments due to a huge presence of uncontrolled weapons in highly populated districts. This implies a clear and comprehensive disarmament process that includes traditional DDR with identified armed groups and second generation DDR with all civilians within

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18. Article 54, par. 2, Additional Protocol I to Geneva Conventions, 1949.

communities that carry weapons¹⁹. This also includes demining latrines and wells where ammunitions, grenades and other explosives have been thrown during fighting. Secondly it is crucial to end impunity and holding actors accountable for violations of International Humanitarian Law (IHL) - including the deliberate targeting of civilian infrastructure and depriving civilians of access to clean water. Protection challenges in CAR should include securing water facilities by making sure civilians can safely have access to water. All this should also suggest the identification of inventive ways to provide water that cannot be easily polluted, destroyed and which is located close to homes and communities. Humanitarian assistance should not be limited to providing water in emergencies but should consider a wider perspective of water conflict where water has played a strong role in conflict, including the place it has in communities. Yet, water is not just essential for humans, but to all life on earth. This should require a certain continuum in humanitarian assistance linking emergency responses to more structural needs.

Bibliography

Amnesty International, 2013 - *Côte d'Ivoire. Des puits susceptibles de renfermer des charniers doivent être fouillés*, July, <https://www.amnesty.org/fr/latest/news/2013/07/cote-d-ivoire-well-holes-suspected-be-mass-graves-must-be-excavated/>

Carayannis T. and Lombard L., 2015 - "A Concluding Note on the Failure and Future of Peacebuilding in CAR". In : Carayannis T. and Lombard L. (eds), *Making Sense of the Central African Republic*, London, Zedbooks.

Collier P., 2010 - "The Political Economy of Natural Resources", *Social Research*, vol. 77, n° 4, Winter "From Impunity to Accountability: Africa's Development in the 21st Century", p. 1105-1132.

Berman E.G. and Lombard L.N., 2008 - *The Central African Republic and Small Arms: A Regional Tinderbox*, Geneva, Small Arms Survey, October.

Deiros T., 2014 - "República Centroafricana: la invención de un conflicto religioso". In: *Documento Opinión IEEE*, 67/2014, 16 junio.

Fédération internationale des droits de l'homme (FIDH), 2014 - Centrafrique : « ils doivent tous partir ou mourir », Rapport d'enquête, June 24th. <https://www.fidh.org/fr/regions/afrique/republique-centrafricaine/15617-centrafrique-ils-doivent-tous-partir-ou-mourir>

Human Rights Watch (HWR), 2014 - *République centrafricaine : Les musulmans sont pris au piège dans des enclaves*, December 22th, <https://www.hrw.org/fr/news/2014/12/22/central-africa-muslims-trapped-in-enclaves>

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19. Second Generation Disarmament, Demobilization and Reintegration (DDR), Practices in Peace Operations, A Contribution to the New Horizon Discussion on Challenges and Opportunities for UN Peacekeeping Report commissioned by United Nations Department of Peacekeeping Operations Office of Rule of Law and Security Institutions Disarmament, Demobilization and Reintegration Section.

hrw.org/fr/news/2014/12/22/republique-centrafricaine-les-musulmans-sont-pris-au-piege-dans-des-enclaves

Jorgensen N., “The Protection of Freshwater in Armed Conflict”, *Journal of International Law and International Relations*, vol. 3, n° 2, 43 p., http://www.jilir.org/docs/issues/volume_3-2/3-2_3_JORGENSEN_FINAL.pdf

Linton J.J., 2006 - *What is Water? The History and Crisis of a Modern Abstraction*, A thesis submitted in partial fulfillment of the requirement for the degree of Doctor of Philosophy Department of Geography and Environmental Studies, Carleton University.

Nguimalet C.-R., Balikouzou-Hinna D.A., Rasoanantoandro Gothard-Bassebe M.-C. and Semballa S., 2005 - “Management of Water Quality, Conflicts and Risks Inherent in the Town of Bangui (Central African Republic)”, *Géocarrefour*, vol. 80, n°4 « La pénurie d’eau : donnée naturelle ou question sociale ? », p. 325-334.

Nguimalet C.-R., 2007 - “Population and Spatial Growth: Diagnosis and Implications for Urban Management of Bangui (Central African Republic)”, PRIPODE workshop *Urban Population, Development and Environment Dynamics in Developing Countries*, Nairobi, June, http://www.cicred.org/Eng/Seminars/Details/Seminars/PDE2007/Papers/Nguimalet_Engl.pdf

Raffestin C., 1980 - *Pour une géographie du pouvoir*, Paris, Librairies techniques, p. 145.

Remans W., 1995 - “Water and War”, *Humanitäres Völkerrecht: Informationsschriften*, n° 1.

Sack R., 1986 - *Human Territoriality: Its Theory and History*. Cambridge, Cambridge University Press.

United Nations Security Council (UNSC), 2014 - *International Commission of Inquiry on the Central African Republic Final Report*, S/2014/928, December.

United Nations, Office of the United Nations High Commissioner for Human Rights (OHCHR), 2010 - *The Right to Water*, Fact sheet n° 35, p. 3, <http://www.ohchr.org/Documents/Publications/FactSheet35en.pdf>

Ure M., *Water and Armed Conflict*, p. 2, <http://elizabethburleson.com/enbweb/WaterArmedConflictMelUre.pdf>

Weyns Y., Hoex L., Hilgert F. and Spittaels S., 2014, *Mapping Conflict Motives: The Central African Republic*, International Peace Information Service (IPIS), November, 88 p., http://reliefweb.int/sites/reliefweb.int/files/resources/20141124_CAR.pdf

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| Abstract |

In the conflict that is destroying the Central African Republic (CAR) since 2013, belligerents have used water in many ways, including polluting water facilities, destroying water pipes, denying access to water points to civilians and denying humanitarian access. This has raised an important issue of international humanitarian law regarding the position of water in conflict as either a civilian property or a military target. The targeting of water facilities intentionally or not has made it become a victim, target or weapon in the conflict. Gangs, militias and bandits have developed tactics of war that, in controlling territories also control water points, pollute wells, destroy water pipes and humiliate the enemy by raping women at water points. Transitional justice mechanisms and humanitarian aid should include activities that intends to turn water from an instrument of conflict into an instrument of peace.

Keywords: natural resources, clean water, conflicts, humanitarian aid, international humanitarian law

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| Résumé |

L'eau en République centrafricaine : « les visages de Janus ». L'instrumentalisation des ressources naturelles dans les conflits armés

Dans le conflit qui détruit la République centrafricaine (RCA) depuis 2013, les belligérants ont utilisé l'eau à bien des égards, notamment en polluant les installations d'eau, en détruisant les conduites d'eau, en refusant l'accès aux points d'eau aux civils et en bloquant l'accès humanitaire. Cela a soulevé une importante question du droit international humanitaire concernant la place de l'eau dans les conflits soit comme un bien civil soit comme une cible militaire. Le ciblage intentionnel ou non des installations d'approvisionnement en eau en a fait une victime, une cible ou une arme dans le conflit. Les gangs, les milices et les bandits ont développé des tactiques de guerre qui, dans le contrôle des territoires, contrôlent également les points d'eau, polluent les puits, détruisent les conduites d'eau et humilient l'ennemi en violant les femmes aux points d'eau. Les mécanismes de justice transitionnelle et d'aide humanitaire, devraient inclure des activités qui visent à transformer l'eau d'un instrument de conflit en un instrument de paix.

Mots-clés : ressources naturelles, eau potable, conflits, aide humanitaire, droit international humanitaire