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DRC / ICC

A second case before the International Criminal Court on the situation in Democratic Republic of Congo: Germain Katanga transferred to The Hague

FIDH and its member organisations in Democratic Republic of Congo (DRC), ASADHO, the Groupe Lotus and the Ligue des électeurs welcome the news, made public yesterday, that the International Criminal Court (ICC) has issued a second arrest warrant in the context of its investigation into the situation in DRC, against Germain Katanga, and his arrest and transfer to the seat of the ICC in The Hague.

Germain Katanga, known as "Simba", was the commander and then president of the Force de résistance patriotique en Ituri (FRPI), an armed group close to the Front nationaliste intégrationniste (FNI). The arrest warrant contains 3 charges of crimes against humanity and 6 charges of war crimes, allegedly committed in the Ituri region at the beginning of 2003. The charges focus on crimes committed in the context of the attack perpetrated by the FRPI and the FNI in Bogoro village around 24 February 2003.

This second case comes more than 3 years after the opening of the ICC investigation into the situation in DRC. In March 2005, proceedings were initiated against Thomas Lubanga Dyilo, head of the Union des patriotes congolais (UPC), on charges of conscripting, enlisting and using child soldiers.

FIDH and its member organisations in DRC express their satisfaction that this second arrest warrant, directed at another member of the militia in Ituri, has been executed. In particular, the decision to prosecute 9 crimes, including sexual slavery, which is defined for the first time under the ICC Statute as a war crime and a crime against humanity, is a significant step in the fight against impunity for the worst crimes committed and continuing in Ituri.

This second arrest warrant accords with concerns of civil society to see those responsible for international crimes in DRC, within the various armed groups, held to account for the grave crimes committed in Ituri. "We hope that the ICC will now expand its work further to focus on those bearing the greatest responsibility for crimes committed in Ituri, including those who supported the heads of the militia, Lubanga and Katanga, but also in other regions of DRC", declared Souhayr Belhassen, FIDH President.

This week, FIDH brought together civil society representatives from the 4 situations under ICC investigation, to discuss strategies for supporting victims of crimes of sexual violence and investigating and prosecuting these crimes. At a meeting with the ICC Deputy Prosecutor, Fatou Bensouda, yesterday, participants underlined the need for charges against the heads of militia groups in Ituri to reflect the range of grave crimes committed in the region. They stressed that unless the reality of the situation, including widespread commission of crimes of sexual violence, is reflected in the charges, the ICC risks fuelling misunderstanding and tensions, including amongst victims.

FIDH and its member organisations in DRC welcome the cooperation of the state in the execution of the arrest warrant. Our organisations reiterate our call for all states to respect their international obligations to cooperate with the ICC, including in the execution of arrest warrants issued in cases concerning Uganda and Sudan.