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Central African Republic/ICC: Report of an international mission of inquiry  
The political transition closes against a backdrop of impunity: How will the International Criminal Court respond?

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**On 13 March 2005, the citizens of the Central African Republic will vote in the first round of presidential and legislative elections and thus bring to a close the period of “democratic transition” introduced after General Bozizé seized power in March 2003.**

The FIDH is publishing a report, “Fin de la transition politique sur fond d’impunité - Quelle réponse apportera la Cour pénale internationale ?”, which describes the political and legal turbulence that jeopardize the establishment of the rule of law.

The report brings up the grave violations of human rights committed against the civilian population throughout the transition period. It also emphasizes the summary executions carried out by the security forces with the implicit approval of the State authorities (p. 22-26).

The report also describes the steps taken by the self-proclaimed head of State to lock up the presidential vote in order to ensure his own succession and presents the risks that the vote on 13 March will be marred by fraud and mismanagement (p. 11-21):

1. People close to the authorities have been appointed to the Mixed Independent Electoral Commission, which is in charge of monitoring the election process. As a result, the incidents observed during the constitutional referendum on 5 December 2004 and while the votes were being counted have not been sanctioned. 2. People close to Bozizé have been placed at the head of the Constitutional Court of Transition. This partisan composition sparked the “candidates crisis” which saw the Court initially strike seven candidates from the list to presidency before Gabonese mediators put everyone except former President Ange-Félix Patassé back on. 3. Hearings in haste, on 22 December 2004 of the trial against the former authorities for blood crimes and economic crimes allowing General Bozizé to confirm that his chief political rival, Ange Félix Patassé, would not be allowed to run because he “lacked morality”.

Finally, the report addresses the judicial proceedings against Ange-Félix Patassé, Jean-Pierre Bemba, Abdoulaye Miskine, Paul Barril and others (p. 27-39) for blood crimes.

On 16 December 2004, the Central African justice ruled that prosecution of blood crimes committed during Bozizé's *coup d'Etat* [1] fell within the competence of the International Criminal Court (ICC). This ruling had been confirmed when the Central African Republic referred the case to the ICC on 23 December 2004.

Since the Central African courts have refused to prosecute blood crimes, the FIDH is asking the ICC Prosecutor to immediately open an investigation to satisfy the victims' expectations and meet the Court's objectives as defined in its Statute: "*to put an end to impunity for the perpetrators of [international] crimes and thus to contribute to the prevention of such crimes*".

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[1] Background: between the attempted coup d'Etat and General Bozizé's seizure of power (October 2002 - March 2003), international crimes were committed by rebel and loyalist troops against the civilian population: summary executions, over 700 cases of rape ascertained and widespread looting (see the FIDH report, *War Crimes in the Central African Republic*, published in February 2003). The Bangui Prosecutor's Office is seized of acts committed by certain former senior officials in exile, notably former President Patassé and the militiamen Jean-Pierre Bemba (the current Vice-President of the Democratic Republic of the Congo), Abdoulaye Miskine and Paul Barril for "collusion with foreign powers, complicity to commit murder, assault with intent to kill, arbitrary arrests and abductions, theft, rape and lootings". Other proceedings have been launched against Ange Félix Patassé and collaborators of the former regime for economic crimes.

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