



Coalition for the International Criminal Court
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**ICC TO OPEN SECOND TRIAL AGAINST TWO CONGOLESE WARLORDS
KATANGA AND NGUDJOLO**

Alleged crimes include rape, sexual slavery and recruitment of child soldiers

The Hague. On 24 November 2009, the International Criminal Court (ICC) will open its second trial in the case of *The Prosecutor vs. Germain Katanga and Mathieu Ngudjolo Chui*.

Katanga and Ngudjolo are accused of war crimes and crimes against humanity allegedly committed from January to March 2003 in the village of Bogoro in the Ituri district of the eastern Democratic Republic of Congo (DRC). They will be tried for alleged murder or willful killing, sexual slavery, rape, using children to participate actively in hostilities, intentional attacks against the civilian population, pillaging and destruction of property.

“Every case before the ICC is unique with its own challenges. In this second trial, the Court will deal with two accused, two defence teams, multiple charges and more participating victims than in the Lubanga trial,” said William Pace, Convenor of the Coalition for the International Criminal Court, a global network of civil society organizations in 150 countries advocating for a fair, effective and independent ICC. “While we can expect that the Court has learned lessons from its first trial and from other international trials with multiple accused, no court can be 100% prepared for all procedural eventualities. Luckily, while the Court is far away from the DRC, the Rome Statute ensures that victims have a voice in the Court room, enabling them to react first hand to such eventualities and advise the court on how to proceed.”

A major highlight of the upcoming trial is the increase in number of participating victims since the first trial. A total of 345 applicants have been granted victim status for the Katanga/Ngudjolo trial, compared to 93 for the Lubanga trial. All victims will be represented by a common legal representative. The exception is a group of child soldiers

that will be represented by separate counsel. At the ICC, victims have the right to participate in proceedings, to be protected from perpetrators and to apply for reparations.

“We welcome the extensive and unprecedented participation of victims in the Katanga/Ngudjolo trial, said Paulina Vega, Interim Director at the International Justice Desk of the International Federation for Human Rights (FIDH). “However we hope that the fact of having a single legal representative for the larger group of victims will not fail to guarantee their meaningful participation,” she added. “The aim is that legal representatives help victims convey their views and assist them in the appropriation of these proceedings; otherwise victims will be left behind once again in the proceedings of international justice,” she stated.

Germain Katanga, commander of the Force de résistance patriotique en Ituri (FRPI) and Mathieu Ngudjolo Chui, former leader of the National integrationist Front (FNI) and a Colonel in the DRC National Army were arrested and transferred to the Court on 17 October 2007 and 7 February 2008, respectively. Pre-Trial Chamber I decided to join their cases because their crimes were identical. In September 2008, the Chamber confirmed all but three of the charges against Germain Katanga and Matthieu Ngudjolo Chui, sending their case to trial.

For Roger Muchuba, deputy coordinator of the DRC Coalition for the ICC, this trial will be closely followed in the Congo for victims’ expectations are riding high: “We are interested to see how the trial is conducted in The Hague and what happens in the field—far away from The Hague—given the decision against *in situ* hearings and the general climate of insecurity that prevails here.” Muchuba adds that “This trial is crucial for victims, and their expectations for the trial should be met, especially given the length and complexity of the proceedings. For us, bringing justice to victims has always been essential.”

The ICC is the world’s first permanent international court to prosecute war crimes, crimes against humanity and genocide. To date, the ICC has issued twelve arrest warrants for investigations in four of the most brutal conflicts of our time: the Central African Republic; Darfur, Sudan; Uganda and the Democratic Republic of Congo. Four suspects have been arrested and one has appeared voluntarily at the Court. The ICC is also monitoring at least eight other situations on four continents. A third trial against former DRC Vice-President Jean-Pierre Bemba is expected to start in 2010, for crimes committed in the Central African Republic.

Following the start of the trial, the Coalition for the ICC will host two live blogging sessions in French and English on 25 November and 2nd December 2009, respectively. To participate in the discussion, visit www.iccnnow.org/blog

FOR MORE INFORMATION: Experts from DRC human rights organizations and international NGOs are listed on the following pages for comment and background on the trial. See <http://iccnnow.org/?mod=drctimelinekatanga> for more.

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***Important notice:** The Coalition for the International Criminal Court (CICC), an independent NGO movement, is dedicated to the establishment of the International Criminal Court as a fair, effective, and independent international organization. The Coalition as a whole, and its secretariat, does not endorse or promote specific investigations or prosecutions or take a position on situations before the ICC. However, individual CICC members may endorse referrals, provide legal and other support on investigations, or develop partnerships with local and other organizations in the course of their efforts.*

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