



CAR / ICC

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18 November 2010

Opening of the Trial of Jean-Pierre Bemba: The Self-sacrifice and Courage of Central African Victims Finally Rewarded

The International Federation for Human Rights (FIDH) welcomes the opening of the trial of Jean-Pierre Bemba before the International Criminal Court (ICC) on 22 November 2010, first trial addressing the crimes committed in the Central African Republic (CAR). Mr. Bemba is accused of having committed war crimes and crimes against humanity in the CAR in the framework of the 2002-2003 armed conflict in the country.

“The opening of the trial of Jean-Pierre Bemba is an important step forward in ensuring justice for victims of horrendous crimes committed in CAR, especially crimes of sexual violence, systematically used as a weapon of war. The date of the opening is symbolically significant since it takes place three days before the celebration of the international day for the elimination of violence against women, on 25 November”, said Souhayr Belhassen, FIDH President. *“We welcome in this regard the participation, of hundreds of victims in the proceedings, through their legal representatives, and hope that they will be able to make themselves heard”*, she added.

Mr. Bemba is the leader of the Mouvement de Libération du Congo (MLC) and former vice-president of the Democratic Republic of Congo (DRC). He is charged with three counts of war crimes (murder, rape and pillage) and two counts of crimes against humanity (murder and rape), in his capacity as military commander. These crimes were allegedly committed during the armed conflict in 2002 and 2003 in CAR, when the MLC supported the armed forces of then President Ange-Felix Patassé in the coup attempt lead by François Bozizé, current CAR President.

Since 2003, FIDH and its member organisations have regularly submitted communications to the ICC Office of the Prosecutor on the crimes committed in CAR, highlighting the serious nature of these crimes and the inability of the national judiciary to investigate and prosecute those allegedly responsible for such crimes. The inability of the CAR judicial system to deal with these crimes was confirmed by the Central African Cour de cassation on 11 April 2006. In its judgement, the Cour de cassation called for the ICC's intervention to try those responsible for international crimes perpetrated on Central African soil.

FIDH underlines the importance that the Office of the Prosecutor carries out further investigations with the aim of prosecuting all those bearing the greatest responsibility for crimes committed in CAR by all parties to the conflict, in order to ensure that all victims obtain justice and reparations for crimes under ICC jurisdiction.

Furthermore, it is to be noted that the FIDH Legal Action Group (GAJ) has assisted Congolese victims of crimes allegedly committed by Jean-Pierre Bemba at the time he was at the head of the MLC forces in the DRC, to submit a filing at the end of June 2010. The filing requested the Court to demand clarification from the Prosecutor on the reasons why he had decided not to prosecute Mr. Bemba for crimes committed in the DRC. [\[1\]](#)

At the opening of the Bemba trial, FIDH remembers late Maitre Wanfiyo Goungaye, lawyer and human rights defender from CAR, who passed away in circumstances that remain unclear a few days before Jean-Pierre Bemba's confirmation of charges hearing, where he was due to represent numerous victims.

Background

The situation in the Central African Republic has been under investigation before the ICC since May 2007. It was referred to the Prosecutor by the CAR government in 2004. FIDH and its member organisations had sent communications to the Office of the Prosecutor since 2003. Jean-Pierre Bemba was arrested by the Belgian authorities on 24 May 2008, following the issuance of an arrest warrant by the ICC. The ICC Pre-Trial Chamber II confirmed the charges against him on 15 June 2009.

A large number of Central African victims, who had advocated at the outset for an ICC intervention with respect to the crimes committed in 2002-2003, have come forward with applications to participate in proceedings against Jean-Pierre Bemba. To date, over 1300 victims have applied to participate. This figure is significant and unprecedented in the history of the ICC.

For more information, please refer to the [FIDH Q&A on the Bemba trial](#), as well as to the relevant [sub-section of our website](#).

[1] See Press Statement by FIDH and member organisations in the Democratic Republic of Congo, ["Victims question the ICC about lack of proceedings against Jean-Pierre Bemba for crimes committed in the DRC: Judges dismissed the request considering that investigation is still open"](#), 3 November 2010

<http://www.fidh.org/Opening-of-the-Trial-of-Jean-Pierre-Bemba-The>