



## News release

### **EFFORTS TO END IMPUNITY FOR SEXUAL CRIMES MUST NOT STOP WITH BEMBA'S JUDGMENT ON 21 MARCH**

**London, 21 March 2016** – On 21 March 2016, the International Criminal Court (ICC) delivered its judgement in the case of former Congolese vice-president Jean-Pierre Bemba. Bemba was convicted of two counts of crimes against humanity (murder and rape) and three counts of war crimes (murder, rape, and pillaging). He will be the first military commander to be convicted for crimes committed by soldiers under his command, including rape, and also the first person ever convicted for sexual violence at the ICC.

Bemba, who has been on trial since 2010, faced two counts of sexual violence (rape as a war crime and rape as a crime against humanity) in addition to two counts of murder and one of pillaging. He had been charged with command responsibility through his commander-in-chief role for failing to prevent, repress or punish the commission of these crimes by troops under his command.

The Court recognised that Movement for the Liberation of Congo (MLC) soldiers committed rape, murder and pillaging against the civilian population of the Central African Republic (CAR) while being deployed there between 26 October 2002 and 15 March 2003. They had entered CAR to assist then CAR president Ange-Felix Patassé to suppress an attempted military coup while Bemba was the President and Commander-in-Chief of the MLC.

The Bemba conviction is clearly very important for the many victims who have suffered wartime sexual violence not only in CAR but also around the world, because it is the first case at the ICC to focus on sex crimes, exposing the devastating effects that sexual violence has on victims, their families and their communities, as well as the urgent need to provide justice and reparations to these victims.

A total of 23 witnesses from the Prosecution and Defense testified about the rape and other forms of sexual violence they had suffered. Victims felt terrorised. Some contracted HIV after being gang-raped by MLC soldiers. Others were rejected by their families and ostracised by their communities, and many have been left to fend for themselves, without access to basic antiretroviral drugs, psychological or economic support.

However, there are significant limits in the case that will affect access to justice for victims of these crimes in CAR. Although 5,229 persons have been granted victim status in these proceedings (not all of them victims of sexual violence) and the ICC has opened a second investigation into events since 2012; widespread human rights violations committed during the attempted coup and the prolonged fighting and political instability that followed has left many thousands of other victims of sexual violence in need of justice and redress.

***“The conviction of Jean Pierre Bemba is an important statement that impunity for sexual crimes will not be tolerated,” said Carla Ferstman, Director of REDRESS. “But this must be accompanied by additional steps to address the rampant impunity that has allowed perpetrators to perpetuate their abuses.”***

The United Nations Population Fund (UNFPA) indicated on 19 December 2015 that the inter-organization mechanism it leads, in charge of the coordination of the humanitarian response to and prevention of gender based violence, including sexual violence, had registered more than 60,000 cases of sexual and gender-based violence (SGBV) during the first 10 months of 2015, of which about 30,000 included victims of sexual violence.<sup>1</sup> And UN agencies and non-governmental organisations continue to document more cases today.

### ***More efforts needed to get the Special Criminal Court operating***

The CAR Government also has a responsibility to deliver justice and reparations to victims of these crimes. The newly elected president, Faustin-Archange Touaderá, who will assume office on 30 March 2016, campaigned on a promise to unify the country and consolidate peace, but peace and justice should go hand in hand.

In June 2015, a law was promulgated by the Transitional Government to establish a new Special Criminal Court inside the national judicial system to investigate and prosecute the gravest crimes committed in the country since 2003, including war crimes and crimes against humanity. The new Government should build on the steps taken by the Transitional Government (they have made available a building and prepared some of the decrees required for the Court to function, and developed job descriptions for recruiting future staff) to get the Court operating as soon as possible. They should also make sure that the Court ensures that victims’ rights are reflected in its procedures and victims are able to participate in a meaningful way in the proceedings.

***“The Special Criminal Court could significantly increase access to justice for victims of gross human rights violations in CAR, including victims of sexual crimes,” said Ferstman. “The Court can help turn the page on decades of impunity by sending a clear message that impunity for these abuses is a part of the past.”***

### **Notes to editors**

**About REDRESS:** REDRESS is a human rights organisation that helps torture survivors obtain justice and reparation. REDRESS works with survivors to help restore their dignity, and to hold accountable the governments and individuals who perpetrate torture. To achieve this mission, our key strategies are: casework (providing legal assistance to individuals and communities in securing their rights); advocacy (with governments, parliaments and international organisations) and capacity building (working in partnership with like-minded organisations around the world).

**For further information** or to arrange an interview, please contact REDRESS office on 020 7793 1777.

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<sup>1</sup> See UNFPA Press Release, 19 December 2015, available at [https://www.humanitarianresponse.info/en/system/files/documents/files/unfpa\\_car\\_presse\\_release\\_0.pdf](https://www.humanitarianresponse.info/en/system/files/documents/files/unfpa_car_presse_release_0.pdf)