

Statement

13 June 2008

**Statement by the Women's Initiatives for Gender Justice on the  
Arrest of Jean-Pierre Bemba Gombo**

The Women's Initiatives for Gender Justice welcomes the arrest of Jean-Pierre Bemba Gombo by Belgian authorities on 24 May 2008, in response to a warrant of arrest issued by the International Criminal Court (ICC), said Executive Director Brigid Inder.

Mr Bemba, President and Commander in Chief of the *Mouvement de libération du Congo* (MLC), is charged with eight counts of war crimes and crimes against humanity committed by the MLC in the Central African Republic (CAR) between 25 October 2002 to 15 March 2003. Originally from the Democratic Republic of the Congo (DRC), Jean-Pierre Bemba has been a public figure in domestic politics. He was one of four Vice Presidents in the transitional government between 2003 - 2006 and ran unsuccessfully as a candidate in the DRC Presidential Elections in 2006. He was elected to the national Senate in 2007.

According to the Prosecutor of the International Criminal Court, the MLC has terrorized civilians in both the DRC and the Central African Republic.

“The arrest of Mr Bemba is important because he is the most high profile political and public figure to be apprehended in relation to charges brought by the ICC. This arrest demonstrates that with State co-operation senior political figures can be arrested to face charges by the Court. It puts on notice seven other ICC suspects still at large regarding what is possible when the international community focuses its resources to end impunity for war crimes, crimes against humanity and genocide” said Brigid Inder.

“It is also significant because at the time of Mr Bemba's arrest he was the only person to be taken into custody based on an ICC arrest warrant, to face charges of rape” said Inder.

Four other ICC suspects face rape charges in the arrest warrants against them, however none have been apprehended.

“When the Women's Initiatives for Gender Justice went to CAR in 2006, we met with many women's rights organizations who described the brutality of the violence committed in the 2002-2003 period. Many of these organisations were formed in response to the large numbers of women who were raped during the attempted coup d'état and the following period of instability and violence”.

“We interviewed women victims/survivors of rape and other forms of sexual violence committed by ‘Bemba's men’ and the repercussions they, and others, faced. Many were rejected by their families, ostracised by their communities, contracted HIV, gave birth to children as a result of rape and continue to experience medical complications and high levels of violence-related trauma” said Inder.

Rape and other forms of sexual violence committed in CAR are not uncommon in armed conflicts, they are a familiar occurrence in each of the conflict situations where the ICC is currently conducting investigations. “What is unusual about the CAR situation is the quantity of material available documenting these crimes. Local women’s rights organizations and victims/survivor groups have documented more than 1000 incidents of rape. This provided the ICC with a significant volume of information to consider and follow-up on during their investigations” Brigid Inder said.

At the time of launching the investigation in May 2007, the Office of the Prosecutor stated that there was a pattern of massive rapes and other acts of sexual violence. They had information indicating there were at least 600 rapes in a 5 month period and that sexual violence seemed to be a central feature of the conflict. On May 22, 2007 the Prosecutor announced the intention of his office to explicitly investigate allegations of rape as a priority in the formal investigation in CAR.

“Given this announcement, the focus of the investigations, the available documentation, the relative stability within the country and the readiness of witnesses to testify, we are very disappointed by the limited charges for gender based crimes. Rape is the starting point. We had expected the ICC to bring comprehensive charges for sexual violence in the CAR situation. Rape can be charged as a crime in and of itself, but it can also be charged as other types of violence for example as torture or as mutilation. In addition to rape there were other forms of sexual violence and gender based crimes committed for which no charges have been brought. The lack of understanding of gender based violence at the policy level is limiting the effectiveness of the ICC to prosecute these crimes” said Brigid Inder.

The legal rights of women in CAR are limited and convictions for rape are few. “While we hope the decision by the ICC to prosecute rape may assist in the future prosecution of non-conflict related rape by the national judiciary, as an international institution with significant resources at its disposal, we expected a wider range of charging by the ICC to reflect the purpose and impact of sexualized violence including, but not limited to, rape”

“Although the charge of rape exists, we do not consider the Bemba charges to signal any real progress in the field of international criminal law or gender justice” Brigid Inder said. “We hope more will be done, in this respect, prior to the Confirmation of Charges Hearing”.

The Women’s Initiatives for Gender Justice is supportive of the Prosecutor’s intention to continue investigations in CAR and to monitor the situation in the northern parts of the country where local women’s organisations report the occurrence of human rights violations committed by the Presidential Guard and the Army.