

LUBANGA Found Guilty, When Will It Be the Turn of Bosco NTAGANDA and Other Alleged Perpetrators?

North Kivu Calls for an End to Impunity

DECLARATION OF NORTH KIVU CIVIL SOCIETY ORGANIZATIONS

Goma, March 21, 2012

We, civil society organizations of North Kivu and signatories to this statement, take note of the International Criminal Court's verdict of March 14, 2012, finding Mr. Thomas LUBANGA guilty of war crimes.

Despite the evident imperfections and limits of international justice as highlighted by the LUBANGA trial, this verdict – the International Criminal Court's first – sends a strong signal to all those on the ground in Ituri, North Kivu, and elsewhere in our country who committed and continue to commit international crimes in full view of a powerless or indifferent national justice system.

For thousands of Congolese victims, particularly in the east, this verdict is also the beginning of some relief and a reason to believe that with a little more will, it would be possible to put on trial their abusers, whatever their rank, to pass judgments that set examples, and in so doing, hope to put an end to their suffering.

Meanwhile, for the population of North Kivu, the thirst for justice remains for the atrocities that they continue to suffer, especially given the number of perpetrators and, above all, the total impunity that they enjoy. Some even hold important political or military positions within state structures. The case in point is that of Mr. Bosco NTAGANDA, chief of staff for Thomas LUBANGA within the military wing of the Union of Congolese Patriots during the period when the crimes for which Thomas LUBANGA was judged were committed.

Mr. Bosco NTAGANDA has been wanted on an ICC arrest warrant since 2006, but Congolese authorities persistently refuse to arrest him and transfer him to the ICC to be tried, shamelessly pretending they are doing so for political reasons. On the contrary, NTAGANDA was promoted to the rank of general within the Congolese national armed forces (FARDC) and is currently the deputy commander of military operations in eastern DRC. During this time, General NTAGANDA and his network of untouchables continued to commit or finance other serious crimes in North Kivu, authored by both the rebellion of the National Congress for the Defense of the People (CNDP) as well as in the name of the FARDC. These groups' implication in pillaging, extraction, and illegal trade of mineral resources in the eastern province is common knowledge.

Bosco NTAGANDA is not a credible partner to build peace and unity in the Democratic Republic of Congo, all the more so because impunity for his crimes is used as justification for the activities of armed groups and the serious human rights violations in the Kivus.

This is a scandalous and shameful situation for our army and our country, which, nevertheless, is party to the Rome Statute ; it is an affront to the untold numbers of victims of his abuses, and a source of permanent anxiety and trauma for the whole population of eastern DRC, and North Kivu in particular.

We, civil society organizations of North Kivu, therefore:

1. Demand that Congolese authorities fully adhere to their international obligations, to arrest Mr. Bosco NTAGANDA without delay and to transfer him to the ICC ;

2. URGENTLY CALL ON:

DRC authorities:

- Within the framework of their international engagements, to pursue better cooperation between the DRC and the ICC in its current and future investigations on Congolese soil, and to accord it all necessary assistance for the ongoing trials;
- To organize the national justice system and urgently provide it the necessary means to prosecute and try all perpetrators of international crimes and other serious crimes, especially perpetrators of recurring rape and sexual violence in eastern DRC, because the ICC's intervention must be a complementary one;

The Office of the Prosecutor of the ICC:

- To expand its investigations into Bosco NTAGANDA with the aim of including further international crimes in the charges against him – especially mass rapes, massacres, and many other crimes – that he allegedly committed in North Kivu from 2004 through the present day;
- To draw lessons from the LUBANGA trial so as to more effectively and quickly conduct current and any future investigations in DRC;

DRC's partners and the international community:

- To fully support each stage of efforts by the Congolese authorities aiming to end impunity, in general, and end impunity for international crimes in particular;
- To support the efforts and legitimate claims of the Congolese population and of civil society for better justice and a pledge of peace, especially in North Kivu.

Signed in Goma, March 21, 2012

(List of signatory organizations included as annex).

Signatory Organizations

1. Action des Chrétiens pour l'Abolition de la Torture (ACAT)/Nord-kivu ;
2. Action Sociale sur la Paix et le Développement (ASPD),
3. Association pour le développement des initiatives paysannes(ASSODIP);
4. Centre d'Etude juridique Appliqué (CEJA)/Butembo
5. Centre de Recherche sur l'Environnement, la Démocratie et les Droits de l'Homme (CREDDHO) ;
6. CIVIS CONGO ;
7. Collectif des Organisations des jeunes solidaires du Congo Kinshasa (COJESKI) ;
8. Compagne pour la Paix (CPP)
9. Congo Peace Network (CPN)
10. Coordination de la Société Civile de Beni ;
11. Coordination provinciales de la société civile/Nord-Kivu ;
12. Fédération des Organisation des Défense des Droits de l'Homme du Nork-Kivu (FODDHO)
13. Groupe d'Association de Défense des Droits de l'Homme et de la Paix (GADHOP)
14. La Synergie des Femmes pour les Victimes des Violences Sexuelles (SFVS) ;
15. Promotion de la Démocratie et Protection des Droits Humains (PDH)
16. Promotion et Appui aux Initiatives Féminine (PAIF) ;
17. Réseau d'Initiative locale pour un Développement Durable
18. Réseau Provincial des Organisations Non Gouvernementales des Droits de l'Homme (REPRODHOC/NK)
19. Solidarité pour la Promotion Sociale et la Paix (SOPROP)
20. Solidarité, Droit et paix pour le Développement (SODPAD)
21. Synergie et Vie Paix (SVP) ;