

AI Index: PRE 01/078/2011
23 February 2011

Democratic Republic of the Congo: Colonel's rape conviction is first step on road to justice

Amnesty International has urged authorities in the Democratic Republic of the Congo (DRC) to step up reforms to its justice system following the conviction of a military general for crimes against humanity.

Lieutenant Colonel Kibibi Mutware was sentenced to 20 years in jail for ordering an attack on the village of Fizi, eastern DRC, on 1 January, in which more than 35 women were raped.

“This conviction is a step in the right direction,” said Claire Morclette, Amnesty International’s DRC campaigner. “For decades crimes like this have gone unpunished in DRC, their perpetrators never brought to justice. However much remains to be done to ensure victims of gross human rights violations in the country receive justice.”

According to Amnesty International, jurisdiction for crimes under international law- including those committed by members of the army- should be transferred to civilian courts. The dire prison conditions in the country also need to be tackled and endemic corruption and frequent prison breaks brought under control.

The willingness of victims and their families to seek justice in the DRC is often undermined by a fear of reprisals. While a significant number of victims of the Fizi attacks came forward to testify, there have been reports of threats and intimidation against them by Forces Armées de la République Démocratique du Congo (FARDC) soldiers.

“If the Fizi trials are to have a positive impact in terms of the fight against impunity, including other similar recent violations committed by FARDC forces, the authorities must immediately put in place witness and victim protection mechanisms,” said Claire Morclette.

“If justice is to be achieved in the DRC, the authorities must immediately increase spending on the justice system aimed at long term and comprehensive reform.”

Notes to Editors

On the 1 January 2011 in Fizi, South Kivu, a group of FARDC soldiers carried out a revenge attack on the town’s population following a brawl that had resulted in the killing of a soldier.

In the army’s attack at least 35 women were raped, houses were looted and villagers were subjected to inhumane and degrading treatment. Many members of the town’s population escaped into the neighbouring countryside following the attacks.

The events generated immediate international attention. Reports by survivors and witnesses accused Lieutenant Colonel Kibibi Mutware of organising the attack.

Eleven soldiers, including Lt.Col. Kibibi, were arrested in January. On the 10th February 2011, the trial against the 11 soldiers began in a military court in the town of Baraka near Fizi. The courts were funded by international organisations.

On 21 February, the military judges sentenced Lt.Col. Kibibi and three other officers to 20 years imprisonment for crimes against humanity, with five other officers getting between 10 and 15 years.

One officer was acquitted, while the court was unable to try the 11th defendant, who is believed to be a minor.