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Prosecutor opens investigation in the Central African Republic

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Situation: Central African Republic Today, ICC Prosecutor Luis Moreno-Ocampo announced the decision to open an investigation in the Central African Republic: "My Office has carefully reviewed information from a range of sources. We believe that grave crimes falling within the jurisdiction of the Court were committed in the Central African Republic. We will conduct our own independent investigation, gather evidence, and prosecute the individuals who are most responsible."

Based on a preliminary analysis of alleged crimes, the peak of violence and criminality occurred in 2002 and 2003. Civilians were killed and raped; and homes and stores were looted. The alleged crimes occurred in the context of an armed conflict between the government and rebel forces.

This is the first time the Prosecutor is opening an investigation in which allegations of sexual crimes far outnumber alleged killings. According to the Prosecutor, "The allegations of sexual crimes are detailed and substantiated. The information we have now suggests that the rape of civilians was committed in numbers that cannot be ignored under international law."

Hundreds of rape victims have come forward to tell their stories, recounting crimes acted out with particular cruelty. Reports detailing their accounts were ultimately provided to the Prosecutor's Office. Victims described being raped in public; being attacked by multiple perpetrators; being raped in the presence of family members; and being abused in other ways if they resisted their attackers. Many of the victims were subsequently shunned by their families and communities. "These victims are calling for justice," Mr. Moreno-Ocampo said.

The government of the Central African Republic referred the situation to the Prosecutor. The Cour de Cassation, the country's highest judicial body, subsequently confirmed that the national justice system was unable to carry out the complex proceedings necessary to investigate and prosecute the alleged crimes. The ruling was an important factor because under the Rome Statute, the ICC is a Court of last resort and intervenes in situations only when national judicial authorities are unable or unwilling to conduct genuine proceedings.

To reach the decision to open an investigation, the Office of the Prosecutor reviewed information provided by the government in its referral, NGOs, international organisations, and other highly knowledgeable sources. Investigators working for the Office of the Prosecutor will now begin collecting criminal evidence, with a focus on the peak periods of violence. The investigation is not targeting any particular suspect at this stage and will be guided solely by the evidence that emerges.

While investigating crimes allegedly committed in 2002 and 2003, the

Office continues to monitor the current situation in the Central African Republic. There are worrying reports of violence and crimes being committed in the northern areas of the country bordering Chad and Sudan.

The launch of this criminal investigation occurs in the context of insecurity and deteriorating humanitarian conditions in the country, in particular for displaced persons and children. The Office of the Prosecutor supports efforts by the United Nations and others to achieve a comprehensive solution where lasting security can be established, humanitarian assistance delivered, and development and education promoted.

"In the interests of deterring future violence and promoting enduring peace in the region, we have a duty to show that massive crimes cannot be committed with impunity. We will do our part, working through our judicial mandate," Prosecutor Moreno-Ocampo said.