



NEWS RELEASE

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Justice is delivered for the children of Kavumu

Bukavu / Geneva / New York, December 13, 2017. In an extraordinary and landmark ruling, 11 Congolese militia members, were convicted today of crimes against humanity for murder and the rape of 37 young children. The verdict represents a stunning victory for the victims, their families, their community of Kavumu, where the crimes occurred, for the wide array of organizations that mobilized around them, and also for justice in the DRC.

Amidst heavy security, and following 17 days of hearings and more than a dozen witnesses who testified in this historic trial, the court of Bukavu, which deployed to a “mobile court” in Kavumu, ruled that the men constituted an armed group that had carried out the rapes under the leadership of the lawmaker, Frederic Batumike.

This was the first time that a sitting government official in the Congo was found guilty of superior responsibility for crimes he and his militia, whom he controlled and financed, committed. The 11 accused who were found guilty of sexual violence, including Batumike, were all condemned to life imprisonment.

In addition to the crimes of rape of young girls, the militia members were convicted of membership in an armed group, and murder of individuals who had criticized the militia’s activities.

VICTIMS AND FAMILIES ARE “RELIEVED”

Today’s decision marks a major victory in the marathon effort for the victims and their families. Long ignored by local authorities, it wasn’t until 2016 – three years after the first attacks – that they were able to imagine the possibility of prosecution and conviction of those responsible for these crimes.

Today, after years of living in fear of new attacks, survivors and their families indicated that they were relieved and satisfied by the verdict, which marks the end of impunity for these crimes in the village.

“This verdict is a relief for the victims and their families. Following years of silence, motivated by fear and denial, their suffering has been brought to light and recognized publicly. The long road ahead for the recovery of these young girls can now proceed,” explained **Charles Cubaka**, the spokesperson for the lawyers representing the victims.

This rehabilitation will be facilitated by the 5’000 USD reparation granted to each victim of sexual violence. The families of the murdered individuals have each been granted a 15’000 USD compensation.

AN HISTORIC MOMENT

The Kavumu trial represents an historic moment in the struggle against impunity for sexual violence in the DRC. First, the systematic method of the attacks allowed for their prosecution as crimes against humanity. This case is also remarkable for the conviction of a sitting member of parliament, whose immunity was waived to stand trial, and for the protections the court permitted to shield the identities of witnesses and survivors. The case also represents an important precedent for submitting to court comprehensive medical-legal evidence collected in a rigorous, methodical, and scientific manner. Finally, the trial benefited from an historic

TRIAL International is a non-governmental organization fighting impunity for international crimes and supporting victims in their quest for justice. TRIAL International takes an innovative approach to the law, paving the way to justice for survivors of unspeakable sufferings. The organization provides legal assistance, litigates cases, develops local capacity and pushes the human rights agenda forward.

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collaboration among the families, representatives of civil society and NGOs, and local, national, and regional experts.

NUMEROUS HURDLES OVERCOME DURING THE TRIAL

The Kavumu justice process faced repeated obstacles. The trial start-date was postponed numerous times, and hearing dates were uncertain up until the last minute. The defendants also utilized various delaying and diversionary tactics: assailing the credibility of the court, refuting witnesses, and, in the case of the parliamentarian, Frederic Batumike, repeated attempts to discredit the court. Batumike accused two of the judges of bias, which slowed down the trial for several days before his allegations were rejected. He spent the final days of the hearings in obstinate silence, refusing to cooperate with the court.

Despite these difficulties, the NGOs that provided technical support and followed the case closely noted the high quality of the hearings.

“The range of expertise and numerous forms of evidence presented in this case have exposed the militia and its hierarchy. The systematic nature of the crimes was crucial in order for them to be recognized as crimes against humanity,” explained **Daniele Perissi**, head of the DRC Program of the NGO TRIAL International.

CREATING A PRECEDENT FOR OTHER VICTIMS

“This trial demonstrated that justice can be served in the Congo, when an investigation is effectively carried out and evidence is methodically collected – even when the accused wield significant power and are highly organized. It is now the responsibility of Congolese authorities to ensure that such exemplary investigative and prosecutorial measures are adopted nationally to rigorously pursue other cases of sexual violence,” added **Karen Naimer**, director of the Program on Sexual Violence in Conflict Zones at the NGO Physicians for Human Rights.

Impunity for mass crimes remains the norm in the DRC due to the volatile security situation and the lack of judicial resources. Positive examples such as the Kavumu case are essential to delivering hope to those many victims still awaiting justice, affirmed both organizations.

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