



Upcoming Trial of Congolese Warlord in France is a Historic Step Toward Justice

On 6 November, three French investigative judges indicted former Congolese warlord Roger Lumbala Tshitenga for his alleged complicity in and conspiracy to commit crimes against humanity including murder, torture, rape, pillage and enslavement, including sexual slavery, in the Democratic Republic of Congo (DRC) between 2002 and 2003. This indictment is a historic step towards justice for survivors of mass atrocities in the DRC, The Clooney Foundation for Justice (CFJ), TRIAL International (TRIAL), Minority Rights Group (MRG), and Justice Plus said today.

This decision paves the way to the trial of Lumbala before the French Criminal court on charges of complicity in and conspiracy to commit crimes against humanity. Roger Lumbala was arrested in Paris in January 2021. Lumbala's armed group, the Congolese Rally for National Democracy (RCD-N), and its allies allegedly committed these atrocities during a military operation called "Erasing the Board" in the provinces of North Kivu and Ituri. The operation's aim was to take control of resource-rich areas in the eastern part of the country. Lumbala allegedly ordered some of the crimes and aided and abetted the RCD-N troops by providing supplies and by letting the soldiers under his authority violently attack the civilian population. Lumbala was later the country's Minister of Commerce between 2003 and 2005.

In recent years, Congolese courts have made important strides in investigating and prosecuting grave crimes committed in the DRC in the last decade, but total impunity remains for the crimes committed before 2003.

Moreover, while the Second Congo War (1998-2003) claimed over one million lives, the DRC has taken no concrete serious steps to investigate its atrocities and hold those responsible to account. But this indictment means that there is sufficient evidence to try Roger Lumbala for complicity in crimes against humanity and conspiracy to commit crimes against humanity. The trial will be held in Paris, probably in 2025.

"This trial would represent an unprecedented opportunity for Congolese victims, survivors and their communities," said Daniele Perissi, Head of TRIAL's Great Lakes program. "It will be the first-ever case before a domestic tribunal adjudicating the mass atrocities committed in the DRC during those years. It shows that there is nowhere to hide for perpetrators of such atrocities."

Today, the security situation in the provinces of North Kivu and Ituri is alarming since the Congolese government has declared a [state of siege](#) to fight against the multiple armed groups occupying parts of the provinces. This military lockdown means the families of the victims and survivors of the RCD-N's atrocities — in particular minorities and indigenous peoples, as well as survivors of sexual and gender-based violence — faced enormous obstacles and grave danger.

“The remarkable bravery exhibited by the survivors and their unwavering commitment to seeking justice has been the driving force in bringing this infamous militia leader to trial,” said Yasmine Chubin, the Legal Advocacy Director at CFJ’s The Docket initiative. “The evidence provided by the survivors, including their testimonies before the investigative judge, has played a pivotal role in propelling the investigation forward, ultimately culminating in the indictment.”

More than 20 survivors made the journey to France to testify in the investigation phase and were admitted to formally participate in the upcoming trial as civil parties. CFJ, TRIAL, MRG, and the DRC-based NGO Justice Plus, also all admitted as civil parties, have collaborated throughout the investigation to identify and support Congolese communities, victims, and survivors who are calling for justice and reparations for the crimes they suffered and willing to share their account with French judicial authorities.

Taking Lumbala to trial in France is possible because of the principle of [universal jurisdiction](#), which allows countries to prosecute the gravest crimes regardless of where they were committed or of the nationality of the perpetrator or the victims. [In France, universal jurisdiction can be applied to suspects who are residents and present in the country, even if they are foreign nationals](#). Lumbala is a long-time resident of France, where he had also sought asylum. Lumbala’s residence in France is what has given the French justice system grounds to investigate the crimes committed in the DRC.

This is the first universal jurisdiction trial for mass atrocities committed in the DRC by a Congolese national and one of few cases pending worldwide against a Congolese official who held a rank as high as minister.

“This is a huge moment for the indigenous Bambuti people who have suffered atrocities at the hands of the RCD-N; their voices will finally be heard on an international stage,” said Samuel Ade Ndasi, MRG Litigation and Advocacy Officer. “This decision sends a clear message that power and status cannot shield perpetrators from justice, no matter how much time has passed.”

“Lumbala’s trial in France represents the first glimmer of hope for Congolese victims of the Second Congo War who have been waiting for justice for over two decades”, said Xavier Macky, Director of Justice Plus. “It sends a strong signal to the perpetrators and will hopefully support the Congolese government’s implementation of its transitional justice strategy over past crimes in order to deliver truth, justice, and reparations to its population.”

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CFJ’s Docket initiative pursues perpetrators of international crimes and supports survivors seeking justice through the courts. In this case, CFJ is representing several victims, including survivors who have suffered rape and other sexual violence.

TRIAL has been working in the DRC for ten years with local offices in South Kivu and Kasai, providing support to victims of international crimes, collaborating with Congolese justice actors, and taking part in dozens of local trials.

MRG has been working to secure rights of minorities and indigenous peoples for more than 50 years. In partnership with Réseau des Associations Autochtones Pygmées du Congo (RAPY), in 2004 it published “Erasing the Board”, a crucial report on human rights violations against indigenous Bambuti in the Democratic Republic of Congo.

Justice Plus has been promoting human rights and good governance in the DRC for more than 25 years. In this case, Justice Plus has identified survivors in the DRC and supported them throughout their journey in France.

[For more information, please see a Q&A here]

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