

Statement on surrender by Bosco Ntaganda

21 March 2013

The Women's Initiatives for Gender Justice and its partners, women's rights advocates in Eastern DRC, welcome the voluntary surrender of Bosco Ntaganda (Ntaganda).

On 18 March 2013, it was reported that Ntaganda surrendered himself to the US Embassy in Kigali, Rwanda, and requested to be transferred to the International Criminal Court (ICC).ⁱ The US State Department has confirmed that Ntaganda is in their custody and that they are working to facilitate his request to be transferred to the ICC.

"We are very happy with this first step. It is a great joy, but it is not enough. We want Bosco to be transferred to the ICC as soon as possible," said Jeanine Bandu Bahati, *Encadrement Des Femmes Indigènes et des Ménages Vulnérables* (EFIM).

This is echoed by Jacqueline Mukanda from *Ligue pour la Solidarité Congolaise* (LSC). "Of course we are happy, we can hardly dare to believe it. But we are afraid Bosco may be set free and return to his attacks on the community again. If that happens, the violence will be even worse than before," said Ms Mukanda.

"This provides the opportunity for Ntaganda to answer the charges brought against him by the ICC. His voluntary surrender and willingness to face the accusations is an indication that he believes he will receive a fair trial and understands that the rules governing the ICC support accountability and protect the rights of the accused. He may also have realised that evading arrest is a full-time preoccupation but a short-term strategy," said Brigid Inder, Executive Director of the Women's Initiatives for Gender Justice.

"Ntaganda's surrender is an encouraging development for the communities in the DRC and a sign for other conflict-affected countries that those indicted by the ICC will eventually appear before the Court," Ms Inder said.

Ntaganda has been wanted by the ICC since 2006, and a second warrant for his arrest was issued in July 2012.ⁱⁱ Ntaganda has been charged under Article 25(3)(a) with the war crimes of enlistment, conscription and use of child soldiers,ⁱⁱⁱ murder,^{iv} rape and sexual slavery,^v attacks against a civilian population^{vi} and pillage,^{vii} and with the crimes against humanity of murder,^{viii} rape and sexual slavery^{ix} and persecution.^x The alleged crimes took place in the Ituri region in Eastern DRC between September 2002 and September 2003, during which time Ntaganda was the alleged Deputy Chief of the General Staff of the *Forces Patriotiques pour la Libération du Congo* (FPLC) and alleged Chief of Staff of the *Congrès National pour la Défense du Peuple* (CNDP).

Following the 2009 Goma Peace Agreements signed between the DRC Government and the CNDP, Ntaganda was integrated into the Congolese Army (FARDC) and promoted to the rank of General. In April 2012, Ntaganda reportedly led the desertion of former CNDP members from the Congolese



Army and the creation of a new movement, the *Mouvement du 23 Mars* (M23). During November and December the M23 attacked several villages in the territories of Nyiragongo, Rutshuru and Masisi. Women's Initiatives partners report that the M23 continues to attack villages in these areas.

On 20 November 2012, the city of Goma, capital of the North Kivu province in the Eastern Democratic Republic of the Congo (DRC), was overtaken by the M23. Peace talks between the DRC Government and M23 have been ongoing, and earlier this year, M23 reportedly split into different factions.^{xi}

The Women's Initiatives for Gender Justice is an international women's human rights organisation that advocates for gender justice through the International Criminal Court (ICC) and through domestic mechanisms, including peace negotiations and justice processes, and works with women most affected by the conflict situations under investigation by the ICC. The Women's Initiatives has extensive country-based programmes and legal monitoring initiatives in all countries under investigation by the ICC.

For more information about the Situation in the DRC and the case against Bosco Ntaganda, see [Gender Report Card 2012](#). For more information about M23, including previous statements by the Women's Initiatives and our partners, see [here](#) and [here](#).

Read the full [statement](#) by the Women's Initiatives for Gender Justice and partners

Read the [statement](#) by Women's Initiatives' members the *Ligue pour la Solidarité Congolaise* (LSC) and *Groupe des Hommes Voués au Développement Intercommunautaire* (GHOVODI) on Ntaganda's surrender

Read the [statement](#) by other civil society organisations in North Kivu on Ntaganda's surrender.

For more information about M23, including previous statements by the Women's Initiatives and our partners, see [here](#) and [here](#)

ⁱ 'Wanted Congolese rebel leader turns himself in to US Embassy', *New York Times*, 18 March 2013, available at <http://www.nytimes.com/2013/03/19/world/africa/wanted-congolese-rebel-leader-turns-himself-in.html?_r=1&>, last visited on 21 March 2013.

ⁱⁱ ICC-01/04-02/06-2; ICC-01/04-02/06-36-Red.

ⁱⁱⁱ Article 8 (2)(b)(xxvi), or Article 8 (2)(e)(vii) of the Rome Statute.

^{iv} Article 8(2)(c)(i) of the Rome Statute.

^v Article 8(2)(e)(vi) of the Rome Statute.

^{vi} Article 8(2)(e)(i) of the Rome Statute.

^{vii} Article 8(2)(e)(v) of the Rome Statute.

^{viii} Article 7(1)(a) of the Rome Statute.

^{ix} Article 7(1)(g) of the Rome Statute.

^x Article 7(1)(h) of the Rome Statute.

^{xi} 'Congo's M23 Rebel Group Split Over Plan to Arrest Ntaganda', *Business Week*, 28 February 2013, available at <<http://www.businessweek.com/news/2013-02-28/congo-s-m23-rebel-group-split-over-plan-to-arrest-ntaganda>>, last visited on 21 March 2013.

