



**BACKGROUND INFORMATION
SHEET**

**Situation in the Democratic Republic of the
Congo - Case of Germain Katanga
18 October 2007**

BACKGROUND

- In sealed documents submitted to the ICC judges on 22 June 2007, the Office of the Prosecutor presented evidence against Germain Katanga, former senior commander of the *Force de Résistance Patriotique en Ituri* (“FRPI”) in the Democratic Republic of the Congo (DRC), charging him with three counts of Crimes against Humanity and six counts of War Crimes.
- The Pre-Trial Chamber issued an arrest warrant on July 2, 2007.
- Today, October 18, 2007, Germain Katanga was surrendered to the Court and transferred to the ICC detention centre in The Hague.
- Germain Katanga, also known as “Simba”, was born on April 28, 1978 in Mambasa, Ituri.
- In early 2003, Mr Katanga emerged as the top commander of a group which began calling itself the FRPI. Later in 2003, he assumed the title of FRPI President. On 11 December 2004, he was appointed to the rank of General in the DRC Army.
- He was arrested by the DRC authorities early March 2005, together with 8 other militiamen from various Ituri armed groups, in relation to an attack against

MONUC peacekeepers in Ituri on 25 February 2005 in which 9 peacekeepers were killed, and sent to the CPRK detention centre in Kinshasa.

- The surrender of Mr Katanga to the court takes place in connection with the OTP's second investigation in the DRC, related to crimes allegedly committed in the district of Ituri. He is the second person from the DRC to be in custody at the ICC.
- The Court's first case is against the former leader of another Ituri armed group active over the same period of time: Thomas Lubanga Dyilo. He was surrendered to the Court in March 2006 and formally charged by the Prosecutor in August 2006 for the crimes of enlisting and conscripting children under the age of 15 and using them to participate actively in armed hostilities in Ituri.
- The Court's Pretrial Chamber I has confirmed the charges against Mr Lubanga; he will be the first person to stand trial at the ICC. The case against Mr Lubanga is anticipated to go to trial early 2008.

THE CONTEXT

- The DRC has been a State Party since its Government ratified the Rome Statute on April 11, 2002. The ICC has had jurisdiction in the DRC since the entry into force of the Rome Statute on July 1, 2002.
- In September 2003 the Prosecutor announced that he had selected the Ituri region as a situation to investigate.
- In March 2004 the DRC Government referred the situation on its all territory to the Court.
- The Office of the Prosecutor received numerous communications concerning alleged crimes from Non-Governmental Organisations (NGOs) and International organisations as well as other sources.
- The Office of the Prosecutor opened its investigation into crimes committed in the Democratic Republic of the Congo in June 2004.

- Following his second investigation into crimes allegedly committed in Ituri district since July 1, 2002, the Prosecutor concluded there are reasonable grounds to believe that Mr Germain Katanga is criminally responsible for the commission of crimes against humanity and war crimes in Ituri in early 2003.
- The DRC is still engulfed in violence. There are reports of forced displacement of people, sexual violence, killings and continued recruitment of child soldiers.
- Between January 2002 and December 2003, more than 8,000 civilians died and more than half a million people were reportedly displaced from their homes in Ituri as a consequence of the then ongoing conflict.
- The Office is in the process of selecting a third case in the DRC situation.

THE CRIMES

- The OTP alleges that Germain Katanga is responsible for Murders, Inhumane acts and Sexual Enslavement at Bogoro Village, constituting Crimes against Humanity and War Crimes, and for Cruel Treatment at Bogoro Village, constituting a War Crime. The Prosecution's evidence will also show that Germain Katanga committed the War Crime of using Children to Participate Actively in Hostilities, the War Crime of launching an Attack against the Civilian Population of Bogoro Village and the War Crime of Pillaging the village of Bogoro.
- Civilians were allegedly the target of massive crimes in the course of the conflict in the Ituri region of the DRC between the FRPI forces of Germain Katanga and other armed militia groups.
- Germain Katanga allegedly ordered an attack on the civilian population of Bogoro village on the morning of 24 February 2003 and is allegedly criminally responsible for the murders, inhumane acts, cruel treatment, use of children in hostilities, sexual enslavement, and pillaging which were carried out by the forces under his command.
- The Prosecutor alleges that Germain Katanga ordered fighters under his command, comprising hundreds of armed adults and child combatants, to "wipe out" Bogoro, with the objective of taking over and occupying the town, which at

the time was held by the UPC. Hundreds of villagers died in the attack, and the civilian population was forced to flee.