L’institution d’une juridiction pénale internationale pour les crimes internationaux commis en République Démocratique du Congo: Une nécessité de justice et de paix durable

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Abstract

Over the past two decades, some of the most serious crimes were committed in the Democratic Republic of Congo (DRC), especially in its Eastern provinces where armed conflicts are still raging. Despite the establishment of the International Criminal Court (ICC) especially mandated to prosecute and judge the persons who are responsible of the most serious violations of international law, most criminals remain unpunished while the victims continue to demand justice. With regard to these crimes, the challenge confronting the DRC and the international community as a whole is how to fight impunity, prevent new crimes and provide reparations for the victims.

The article argues that an international criminal tribunal for the DRC would be an appropriate answer. Such a tribunal completing the work of the ICC and domestic courts would be modelled on the Special Tribunal for Sierra Leone. Justice as a prerequisite for sustainable peace and the fight against impunity in the DRC and the rest of the Great Lakes region would remain a hollow laugh should the call for the establishment of an ad hoc international criminal tribunal be dismissed or fail to be taken seriously by the international community and the DRC government.

Mots-clefs: crimes internationaux ; impunité ; justice ; paix ; République Démocratique du Congo (RDC) ; tribunal pénal international ; tribunal mixte