

ICC Prosecutor opens investigation into war crimes in Mali: “The legal requirements have been met. We will investigate” International Criminal Court

16 January 2013

ICC Prosecutor Fatou Bensouda today formally opened an investigation into alleged crimes committed on the territory of Mali since January 2012. This decision is the result of the preliminary examination of the Situation in Mali that the Office had been conducting since July 2012.

“Since the beginning of the armed conflict in January 2012, the people of Northern Mali have been living in profound turmoil” said Prosecutor Bensouda. (...) “I have determined that some of these deeds of brutality and destruction may constitute war crimes as defined by the Rome Statute”

Following the referral of the Situation in Mali by the Malian State, the Office may investigate and prosecute any crime within the ICC jurisdiction committed on the territory of Mali since January 2012. In the course of the preliminary examination, the Office has identified potential cases of sufficient gravity to warrant further action.

Prosecutor Bensouda has determined that there is a reasonable basis to believe the following crimes were committed: (i) murder; (ii) mutilation, cruel treatment and torture; (iii) intentionally directing attacks against protected objects; (iv) the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court; (v) pillaging, and (vi) rape.

“My Office will ensure a thorough and impartial investigation and will bring justice to Malian victims by investigating who are the most responsible for these alleged crimes”.

Based on the information gathered to date, the investigation will focus on crimes committed in the three northern regions of Mali.

“There is still turmoil in North Mali and populations there continue to be at risk of yet more violence and suffering” said Prosecutor Bensouda. “Justice can play its part in supporting the joint efforts of the ECOWAS, the AU and the entire international community to stop the violence and restore peace to the region. Key regional and international organizations have acknowledged the need for justice as part of the resolution of the crisis in Mali. The international

crimes committed in Mali have deeply shocked the conscience of humanity.” (...)

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