

Statement : 8 May 2015

Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, regarding the recent pre-election violence in Burundi

[Ikirundi](#)



On 26 May and 26 June 2015, the people of Burundi will vote in legislative and presidential elections. I am concerned about the growing tensions in the country and reports that violence ahead of the elections may escalate which could lead to the commission of serious crimes falling within the jurisdiction of the International Criminal Court ("ICC" or "Court").

Burundi has been a State Party of the ICC since 2004. The ICC was established to try those accused of committing the most serious crimes of concern to the international community, namely crimes against humanity, war crimes and genocide when the state(s) concerned fail to do so. As witnessed in Kenya and Côte d'Ivoire, electoral competition, when gone astray, can trigger large-scale crimes falling under the jurisdiction of the ICC. In such instances, my Office will not hesitate to open investigations in accordance with the criteria set by the Rome Statute.

Any person who incites or engages in acts of mass violence including by ordering, requesting, encouraging or contributing in any other manner to the commission of crimes within ICC's jurisdiction is liable to prosecution before the Court. The primary responsibility to investigate and prosecute perpetrators of mass crimes falls, in the first instance, on the national authorities. That failing, however, no one should doubt my resolve to investigate and prosecute individuals responsible for committing crimes under ICC jurisdiction.

Electoral violence is by no means inevitable. The recent elections in Nigeria have shown how commitment to peaceful elections by the electoral candidates can prevent mass violence. Political

leaders in Burundi are equally responsible for ensuring the peaceful conduct of elections and that their supporters refrain from violence - before, during and after the elections. My Office, in accordance with its mandate under the Rome Statute, will be closely following developments in Burundi in the weeks to come and record any instance of incitement or resort to violence.

The Office of the Prosecutor of the ICC conducts independent and impartial investigations and prosecution of the crimes of genocide, crimes against humanity and war crimes. The Office of the Prosecutor has opened investigations in: Uganda; Democratic Republic of the Congo; Darfur, Sudan; Central African Republic; Kenya; Libya; Côte d'Ivoire and Mali. The Office is also conducting preliminary examinations relating to the situations in Afghanistan, Colombia, Georgia, Guinea, Honduras, Iraq, Nigeria, Ukraine and Palestine