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<b>Situation Case</b>	Central African Republic 01/05-01/08 The Prosecutor vs. Jean-Pierre Bemba Gombo	<i>Mouvement de libération du Congo</i> (Movement for the Liberation of the Congo) (MLC). <b>Participants:</b> 1312 victims represented by Legal
<b>Hearing Chamber</b>	Trial Proceedings Trial Chamber III: Judge Sylvia Steiner (Presiding Judge), Judge Joyce Aluoch and Judge Kuniko Ozaki	Representatives for Victims: Ms. Marie Edith Douzima-Lawson and Mr. Assingambi Zarambaud
<b>Parties:</b>	OTP: Ms. Bensouda, Ms. Kneuer and team Defence: Mr. Nkwebe Richard Liriss, Mr. Aimé Kilolo-Musamba and team	<b>Alleged crimes:</b> Jean-Pierre Bemba Gombo is allegedly responsible, as military commander, of: <ul style="list-style-type: none"><li>○ Crimes against humanity: Murder and rape.</li><li>○ War crimes: Murder, rape and pillaging.</li></ul>
<u>Jean-Pierre Bemba Gombo</u> : born in 1962 in Bokada, Equateur Province; National of the DRC; Alleged President and Commander-in-chief of the		<b>Start of Trial:</b> 22 November 2010

This week, **Witness 110** (OTP's 22<sup>nd</sup> Witness) and **Witness 112** (OTP's 23<sup>rd</sup> Witness) gave their evidence before the Chamber. Their images and voices were distorted so as to protect their identity. Entry into private session was minimised by the use of code-names for certain individuals.

**13 June 2001**

Cross-examination of prosecution **Witness 110** by the Defence continued

- **Killing of a woman:** The witness was cross-examined on previous evidence she had given regarding the alleged shooting of a woman outside her compound. The woman, who remained unidentified, tried to run away before she was allegedly shot dead by Mr. Bemba's soldiers.
- **Witness did not see body:** While the witness claimed that she did not see the body, she claimed to have heard gunshots and heard of the woman's burial the following day. The murder was alleged to have occurred on the first day of the arrival of the *Banyamulenge*<sup>1</sup> in front of her compound.
- **Pillaging:** The witness alleged that her own house was pillaged by the *Banyamulenge* on 31 October 2002 and occupied until February 2003, by a man named 'Major'<sup>2</sup>, a deputy of Mr. Bemba.

<sup>1</sup> *Banyamulenge* is a term historically describing the ethnic Tutsi Rwandans, concentrated on the High Plateau of South Kivu, in the eastern region of the Democratic Republic of the Congo.

<sup>2</sup> 'Major' was one of the codes used by the Chamber so as to allow the examination of the witness to proceed in open court.

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**14 June 2011**

The Defence concluded its cross-examination of **Witness 110**. The examination-in-chief by the Prosecution of **Witness 112** commenced

- **Arrival of Bemba's soldiers:** The witness claimed that the first armed groups to arrive in the town of Begua in the Central African Republic were the *Banyamulenge*, in November 2002. The witness alleged that they stayed for almost three months. General Bozizé had already fled by the time the conflict began. The witness denied that soldiers from the CAR army played any role in the conflict.
- **Appearance of Bemba's soldiers:** According to the witness, the *Banyamulenge*, who consisted of both women and men, would wear both military and civilian clothing. They wore one colour - green - and would bear A52 guns, rocket launchers, master rifles, grenades and other types of heavy weaponry. They spoke *Lingala*.<sup>3</sup>
- **Atrocities committed by Mr. Bemba's soldiers:** The witness alleged that the *Banyamulenge* started firing shots and started to break down doors and to loot houses in 2002. The Commander of those forces was 'Major', and he carried two mobile telephones which allegedly used, to communicate with Mr. Bemba.

**15 June 2011:**

Examination-in-chief of **Witness 112** by the prosecution continued. Examination of **Witness 112** by Legal Representatives of Victims (LRV) commenced

- **Arrival of *Banyamulenge* and looting in Begua:** The witness denied the presence of soldiers of the Central African Republic Army in Begua, maintaining that there were only *Banyamulenge*. The witness alleged that his house was looted by members of the *Banyamulenge* after he had been beaten. He claims that his property was never returned and that he was never compensated for its seizure.
- **Alleged rape:** The witness alleged that women were raped. The witness denied seeing the FACA<sup>4</sup> and the *Banyamulenge* work together.
- **Killings by the *Banyamulenge*:** The witness claimed to have known many men who were allegedly killed and that he had to bury one of those killed. The witness further alleged to have been injured by a stray bullet from one of the *Banyamulenge* in the course of their attacks on the civilian population.

**16 June 2011**

Examination of **Witness 112** by Legal Victims' Representative - Maitre Zarambaud)

- **Occupation of witness' house:** The witness alleged that his house was forcefully occupied for three months by forces of the Movement for the Liberation of the Congo (MLC) in the town of Begua, Central African Republic.
- **Assault and property looted:** The witness alleged that he had undertaken forced labour. The witness was also allegedly assaulted and his property looted.

<sup>3</sup> Lingala is a Bantu language spoken throughout the north-western part of the Democratic Republic of Congo.

<sup>4</sup> Forces Armées Centrafrican (FACA) is the national army of the Central African Republic, allied to the government.

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- **Visit by Bemba to his troops:** The witness alleged that he saw a helicopter, but was not able to put a date on this event. It was not until afterwards that he asked M<sup>5</sup> who it was, and was told that it was allegedly Mr. Bemba inside the helicopter.
- **Departure of General Bozizé:** The witness confirmed a previous statement given to ICC investigators, in which he denied General Bozizé's involvement in the conflict, apparently because he had already fled by the time the *Banyamulenge* arrived in Bangui.
- **Arrival of General Bozizé at PK12<sup>6</sup>:** The witness alleged that General Bozizé arrived on 15 March 2003, the same date on which the *Banyamulenge* had been moving from Damara towards PK12. 'M' had not told the witness what they were doing in Damara, as apparently, this was a military secret.
- **Chief's<sup>7</sup> Communication with Bemba:** In the ten days that the witness claimed to be under house arrest, the 'Chief', an unnamed Commander, would communicate often with Mr. Bemba via telephone, although the witness did not know what was discussed.
- **'The Chief':** The witness described 'The Chief' as a uniformed man who would order troops in *Lingala* and appeared to be the *Banyamulenge's* most senior officer in the PK12. He would allegedly go from neighbourhood to neighbourhood to visit his troops.

17 June 2011

Cross-examination of Witness 112 by the Defence.

- **Differentiation of FACA from *Banyamulenge*:** The Witness stated that the FACA usually wore military clothing; those who didn't and wore civilian clothing were rebels.
- **Involvement of the FACA:** The witness claimed that the FACA were present at the checkpoint in PK12 but claimed that they did not co-operate with the *Banyamulenge* because they could not understand one another.
- **FACA houses looted:** The witness alleged that some members of the FACA had their houses ransacked by the *Banyamulenge*.
- **Bemba's arrival in a helicopter:** The witness confirmed that 'M' told him Mr. Bemba was in the helicopter, however he could not see Mr Bemba because security measures were so stringent that no one could go close to the location.

After the Chamber formally excused Witness 112, Judge Steiner adjourned the hearing until Monday 27 June 2011 at 10:30am.

<sup>5</sup> 'M' is the code for a soldier who translated for the *Banyamulenge* who spoke Sango. The code was given by the Chamber so as to protect his identity.

<sup>6</sup> Point Kilomètre 12 is a suburb of Bangui in the Central African Republic where the Prosecutor claims some of Bemba's alleged crimes took place.

<sup>7</sup> 'Chief' is another code given by the Chamber to a leader of *Banyamulenge*. He is alleged to have been in charge of the intruders in the compound of witness 112 when it was allegedly occupied by members of the *Banyamulenge*.

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