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Situation Case	Central African Republic 01/05-01/08 The Prosecutor vs. Jean-Pierre Bemba Gombo	<i>Mouvement pour la libération du Congo</i> (Movement for the Liberation of the Congo) (MLC).
Hearing Chamber	Trial Proceedings Trial Chamber III: Judge Sylvia Steiner (Presiding Judge), Judge Joyce Aluoch and Judge Kuniko Ozaki	Participants: 1713 victims represented by Legal Representatives for Victims: Ms. Marie Edith Douzima-Lawson and Mr. Assingambi Zarambaud
Parties:	OTP: Ms. Bensouda, Ms. Kneuer and team Defence: Mr. Nkwebe Richard Liriss, Mr. Aimé Kilolo-Musamba and team	Alleged crimes: <u>Jean-Pierre Bemba Gombo</u> is allegedly responsible, as military commander, of: <ul style="list-style-type: none">○ Crimes against humanity: Murder and rape.○ War crimes: Murder, rape and pillaging.

Jean-Pierre Bemba Gombo: born in 1962 in Bokada, Equateur Province; National of the DRC; Alleged President and Commander-in-chief of the

Start of Trial: 22 November 2010

This week one witness testified:
Witness 213 (34th OTP witness), who is a protected witness, gave his testimony.

14 November 2011
The Prosecution commenced its examination-in-chief of witness 213.

During examination-in-chief by the Prosecution, the witness provided testimony on:

- **Logistics in MLC¹ prior to Deployment in the Central African Republic:** The witness testified that prior to the MLC's deployment in CAR, Mr Bemba held several meetings with his Chief of Staff² and the Minister of Defence of CAR with regards to the logistics of the MLC's deployment. Furthermore, Mr Bemba held meetings on how exactly to equip the MLC soldiers that were to enter CAR. The witness alleged that the Minister of Defence of CAR (whose name was not mentioned during the testimony) stayed in the DRC for a period of 15 days.
- **Mr Bemba's meetings with Chief of Staff officers:** The witness testified that during meetings between Mr Bemba and Chief of Staff officers, it was agreed that the Chief of Staff was to assemble troops. Furthermore, 5 divisions were formulated, as follows:
 - **G1:** In charge of making up lists of troops;
 - **G2:** Intelligence;
 - **G3:** Equipment and Operational plans;
 - **G4:** Munitions and Weapons;

¹ Movement for the Liberation of the Congo, of which Mr. Bemba was the alleged President and Commander-in-Chief

² The name of the Chief of Staff was not given

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- o G5: Morale.
- **Reinforcements from Libya:** The witness testified that the MLC received reinforcements from Libya in Gbadolité. These included ammunition, weapons, and fighter planes for aerial support. Furthermore, the MLC received support weapons in the form of heavy artillery and weaponry.
- **MLC presence in CAR:** The witness testified that the MLC entered CAR and undertook two operations: one in 2002 and the other in 2003. In 2003, General Mustafa³ was in control of the troops. Furthermore, the witness alleged that Mr Bemba held discussions with the MLC troops when he visited CAR in 2002, namely in: PK 12⁴, PK 22⁵, Bangui, Bossembele, and Mongumba.

15 November 2011

The Prosecution continued it's examination-in-chief of witness 213.

During examination-in-chief by the Prosecution, witness 213 provided testimony on:

- **Mr Bemba's presence in CAR:** The witness alleged that Mr Bemba was in CAR during the 2002 operations. While he was there, he met with General Mustafa for 'some time', but the witness did not attend the meeting so could not provide testimony on the topics discussed.
- **Mr. Bemba aware of crimes:** The witness alleged that whilst travelling from one MLC position to the other, Mr Bemba encouraged the troops and boosted their morale. However, the witness testified that during meetings with General Mustafa, the issue of soldier discipline was not raised. The witness further alleged that Mr Bemba was fully aware of all the crimes that were committed.
- **Bodies in several locations:** The witness testified that while he was on route with Mr Bemba to the various locations of MLC troops, they allegedly sighted corpses on the roadsides. According to the witness, Mr Bemba did not comment on these bodies. The witness testified that all these bodies including both men and women, dressed in civilian clothes with no weapons next to them.
- **Rapes:** The witness testified that according to friends of his who were serving in the MLC at the time, MLC soldiers allegedly committed rape on a wide scale. He also testified that the MLC soldiers went from door to door to commit rape. They committed these crimes because of orders from "the chief" (Mr Bemba).
- **Looting:** The witness alleged that soldiers returned from CAR with various looted goods, which included vehicles and motorbikes. These goods were placed at the disposal of all MLC and ALC⁶ troops. Furthermore, the witness alleged that these lootings occurred because the MLC soldiers were given orders once again by "the chief".
- **Code of Conduct:** The witness testified that while there was an ALC Code of Conduct, looting and killing occurred anyway. However, the witness did testify that before troops were deployed, the Code of Conduct was read to them. At earlier times, sanctions were imposed on those who violated the Code of Conduct, as the witness testified that he himself suffered consequences.

³ General Mustafa was the acting field commander of the MLC forces during the commission of the alleged crimes

⁴ Point Kilometre 12: Suburb of Bangui

⁵ Point Kilometre 22: Town near Bangui

⁶ Army for the Liberation of the Congo

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16 November 2011

The Prosecution and Legal Representative for Victims concluded their examination-in-chief of witness 213

During examination-in-chief by the Prosecution, the witness provided testimony on:

- **Investigations into the 2003 Operation in Bangui:** The witness alleged that as soon as the MLC forces returned from Bangui in 2003, the operation ended and no investigations took place with concerns to the crimes that occurred.
- **Control of MLC Forces:** The witness testified that only General Mustafa and Mr Bemba had complete control over the MLC troops, and that the FACA⁷ had no control whatsoever over the MLC forces.
- **Mr Bemba's communications:** The witness alleged that Mr Bemba was constantly in contact with General Mustafa and the MLC forces on the ground with the use of handheld radios. The witness further alleged that Mr Bemba had a radio in his household to stay in contact with the forces on the ground.

Questioning by the Legal Representatives for Victims was conducted in private session.

17 November 2011

The Defence began its cross-examination of witness 213.

Cross-examination by the Defence was conducted in private session.

18 November 2011

The Defence continued its cross-examination of witness 213.

During cross-examination by the Defence, witness 213 provided testimony on:

- **Libyan Fighter Jets:** The witness alleged that fighter jets brought from Libya were mounted in Gbadolité and then flew to Bangui in 2002 for bombing raids.
- **Weapons from Libya:** The witness alleged that aeroplanes left Tripoli loaded with light and heavy weaponry and landed in Gbadolité, then were taken to Zongo. From Zongo, the weapons crossed the river in Bangui.

Rest of questioning was conducted in private session.

⁷ Central African Armed Forces

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