

JEAN - PIERRE BEMBA GOMBO

INFORMAL WEEKLY SUMMARY

16 - 20 MAY 2011

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

This week one witness continued to give evidence:

Witness 63 (OTP's 20th Witness): A photographer in Bangui, Central African Republic, he claims to have witnessed some of the atrocities allegedly committed by the *Banyamulenge*.¹ He was questioned under protective measures.

May 16th 2011 - No hearing

May 17th 2011 - The Prosecution continued its examination-in-chief of **Witness 63**.

The witness gave further evidence on the atrocities allegedly committed by the *Banyamulenge* in Damara:

- **Murders:** The witness testified that he would hear the *Banyamulenge* fire warning shots from trenches in which they were hiding, and allegedly send scouts - often children - on reconnaissance missions. At other times the *Banyamulenge* would allegedly kidnap people to get information out of them or would kill perceived insurgents.
- **Gang-rape:** Going in and out of closed sessions, the witness made references to his conversations with a girl who had been the victim of a "collective rape" allegedly committed by MLC forces.²

¹ *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.

² The Movement for the Liberation of the Congo (MLC) is a political party in the Democratic Republic of the Congo.

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- **Looting:** According to the witness, all churches, shops and homes in Damara were plundered, allegedly by the *Banyamulenge*, who - according to the witness - came from various ethnic groups and would “take anything”.

18 May 2011 - Continued questioning of **Witness 63** in closed session

19 May 2011 - Continued questioning of **Witness 63** in closed session

20 May 2011 - The Prosecution continued its examination-in-chief of **Witness 63** by the Prosecution and by the Legal Representative for Victims (LRV)

Following a morning in closed session, a written statement from the witness regarding the commanders of the *Banyamulenge* was read out to him. The following was confirmed by the witness:

- **Orders:** Allegedly, *Banyamulenge* commanders were numerous and identifiable by the fact that they gave orders to the “simple soldiers”.
- **Forced to Give Money:** The witness testified that he had seen first-hand that those who passed the *Banyamulenge* in the street had to give them money. Allegedly, those who refused, were beaten.
- **MLC Gunship:** On the same day that the *Banyamulenge* arrived³ at PK45⁴, four people were allegedly killed at Damara by an MLC gunship. The witness testified that he heard the gunfire and saw the corpses before they were incinerated.
- **Arrival of Bemba in the CAR:** When the *Banyamulenge* took the witness to Bangui, he saw a helicopter land. He was told that it contained Mr. Bemba, the “Chief of the *Banyamulenge*” who had come to see his own men. The situation at PK12⁵ allegedly worsened after Mr. Bemba’s arrival and the acts of violence and abuse allegedly increased in number.

On examination by the LRVs, the witness gave further testimony on:

- **The Identification of MLC forces:** According to the witness, it was by their behaviour that he recognised MLC forces arriving in Bangui. The witness alleged: “they stole things, mistreated you, raped women in public along the roadside. Looking at them, you could tell that this person was a murderer, a thief, or a rapist.”
- **Killings:** Allegedly, when people were apprehended by the Commander of the MLC forces, they were interrogated and asked to identify themselves. Allegedly, if they did not speak *Manza*⁶ and spoke Arabic or another language for example, then the MLC forces would conclude that they were spies and they would be killed. The witness testified that some of the elders would escape persecution by presenting themselves as being of *Manja*⁷ ethnicity.

³ The date of arrival was not specified.

⁴ PK45 (Point Kilomètre 45) is a town near Bangui and one of the locations where the Prosecution claims that some of Bemba’s alleged crimes took place.

⁵ PK12 (Point Kilomètre 12) is a suburb of Bangui where the Prosecution claims some of Bemba’s alleged crimes took place.

⁶ *Manza* is a language spoken in the Central African Republic.

⁷ *Manja* (or Mandja) is the name of an ethnic group in the Central African Republic.

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- **Arrival of Bemba in the CAR:** The witness testified that there had been an announcement on the radio that Bemba had gone to PK12 because of the acts of violence committed by his forces.
- **Mr Mustafa:** According to the witness, 'Mr. Mustafa' was the Commander of the *Banyamulenge* who were in Bangui and he acted on behalf of Mr. Bemba.
- **Bemba Leader of *Banyamulenge*:** The witness knew of the *Banyamulenge* before they came to Bangui and testified that their leader was Mr. Bemba. The witness did not know whether *Banyamulenge* leaders were aware of what was happening on the ground in CAR.

The trial was adjourned and continues on Monday 23rd May 2011 with the cross-examination of Witness 63 by the Defence.

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