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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 two witnesses testified:
Witness 33 and **Witness 32** are witnesses testifying under protective measures.
The identities of the witnesses remain unknown.

19 September 2011

The Defence and Prosecution concluded their examination of witness 33.

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

- **Relationship of President Kabila and Mr Bemba prior to the 2006 elections:** The witness alleged that prior to the 2006 DRC elections President Kabila and Mr Bemba were on very close terms, often visiting one another in their workplaces. However, close to the elections their relationship began to deteriorate.
- **Political environment after the 2006 DRC elections:** The witness testified that there were confrontations between various political groupings, including, but not limited to, the MLC¹ and President Kabila's supporters. Furthermore, the witness alleged that some of Kabila's opponents were targeted and the press was "gagged".
- **Use of violence by President Kabila's forces:** The witness testified that President Kabila and his forces were not "exonerated from outbursts of violence that made the restoration of law vulnerable". However, the witness further alleged that the MLC was the major and only opponent to

¹The 'Mouvement pour la Liberation du Congo' is a political party in the DRC founded by Mr. Bemba.

President Kabila, and thus the use of violence was “within their [Kabila’s and MLC forces] nature”.

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

- **Use of violence:** The witness alleged that the use of violence by all parties [Kabila’s forces and MLC] was not justified by the aim of ensuring political stability after the 2006 elections.

20, 21, 22 September 2011 - No Hearings

23 September 2011

The Defence and Prosecution initiated their questioning of witness 32.
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During the examination-in-chief of the Prosecution, witness 32 provided testimony on:

- **Structure of the MLC:** The witness testified that there were two sides to the MLC: military and civilian. Heading the MLC was the President, or the Supreme Commander. On the civilian side, under the President, there was the General Secretary, who was followed by several Ministers. On the military side, there was the Chief of General Staff, who was followed by four directors, each heading a certain division. These divisions were termed G1 through G4. On the Brigade level, there were two, one based in Basankasu and the other in Makansa.
- **Chain of Command:** The witness alleged that commands were issued directly from the Supreme Commander, Mr Bemba. According to the witness, if it was an important matter, then the Supreme Commander issued orders directly to the officers. If not, then the Chief of General Staff would receive the orders and then have them implemented. The witness further alleged that the Chief of General Staff did not play an important role in decision making and issuing orders, rather he only had those orders implemented.
- **Allocation of Resources to the MLC and Looting:** The witness alleged that the MLC received its fuel from Bangui, carried on planes. The witness also alleged the reason looting and pillaging was widespread was because of the inexistent pay for the soldiers and the loot was a form of payment. The witness alleged that some of the unit’s equipment, such as planes and Jeeps used for military and civilian purposes, were either taken as spoils of combat or given to them by the Central African Republic government.
- **Military Training:** The witness alleged that there existed group training of the MLC soldiers, both in combat and ideological. The soldiers were given information from the close guards for the identities of VIPs, driver training, and how to escort people in authority.
- **Failure to Prevent or Punish:** The witness alleged that MLC soldiers were not punished because their violence and looting of goods was seen as payment, and higher officials allowed them to do so out of sympathy for not being paid.
- **Crimes committed in Bangui:** The witness alleged that the MLC committed rape, looting, and murder of civilians who supported President Patassé. However, the witness alleged that the scope of violence in the first attack on Bangui was much more destructive than the second attack, due to the existence of a much more powerful opposition to Bozizé.
- **Mr Bemba’s Knowledge:** The witness alleged that Mr Bemba had full knowledge of the crimes taking place in Bangui. The witness further alleged

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that if Mr Bemba were against these crimes, he would have taken steps to prevent them.

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