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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">o Crimes against humanity: Murder and rape.o 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 47 (32nd Prosecution witness), Cyprian Francis Ossibouyen: a technician who managed river transport in the CAR.
Witness 31 (33rd Prosecution Witness), Colonel Thierry Lengbe: served with the Central African army, Forces Armées Centrafricaines (FACA), in Bangui, since 1987.

31 October 2011
The Prosecution and Legal Representatives for Victims (LRV) concluded their examination-in-chief of witness 47.

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

- **Incidents of Rape:** The witness testified that during the alleged incidents of rape that occurred on his ferry in Bangui, during the month of October 2002, women (aged from 13 to 60 years old) would be beaten and physically violated before being raped. During the rape, the *Banyamulenge*¹ militiamen would swap women, each raping more than one woman.
- **Alleged Thefts:** Furthermore, the Banyamulenge would allegedly take jewellery from the women they had raped.
- **Looted Goods:** The witness alleged that he routinely transported looted goods from Bangui to Zongo, under the supervision of Banyamulenge troops. These goods included, but were not limited to: TVs, antennas, DVDs, cellular phones, mattresses, receivers, and 4x4 vehicles.

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 DRC but is also used for certain troops, who were allegedly under the control of Mr Bemba.

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During examination-in-chief by Maitre Zarambaud (LRV), the witness provided testimony on:

- **Instructions received by the Banyamulenge:** According to the witness, the last instructions the Banyamulenge received in Zongo before their departure to Bangui was the following: "War is on the other bank. We are Congolese, everything you find on the other bank you can kill."
- **Methods of Communication:** The witness alleged that the Banyamulenge used walkie-talkies and megaphones in order to issue and receive instructions and to communicate with each other.

During examination-in-chief by Maitre Douzima (LRV), the witness provided testimony on:

- **Militia Identification:** The witness alleged that the militiamen from the DRC would constantly refer to themselves as the Banyamulenge, thus ensuring that they would be identified wherever they go.
- **Presence of FACA²:** When questioned as to the lack of FACA presence during the events in Bangui in October 2002, the witness alluded to dissension within the ranks of FACA, which thus prevented FACA from having a presence in Bangui during this period.

01 November 2011

The Defence commenced its cross-examination of witness 47.

During the cross-examination by the Defence, witness 47 provided testimony on:

- **Banyamulenge protocol upon arriving in Bangui:** The witness alleged that in October 2002, having transported Banyamulenge troops from Zongo to Bangui, upon arrival in Bangui the Banyamulenge troops would disembark at the naval base set up in Bangui, along the Oubangui River. From there, they would prepare themselves and then head to the battlefield, which was located further inland from the city of Bangui.
- **Banyamulenge uniforms:** The witness alleged that the Banyamulenge troops were supplied with their military dress at the naval base, located at Bangui.
- **FACA Office:** The witness alleged that there was a FACA office located at the bank of the Oubangi river, close to the naval base.
- **Photographs of Banyamulenge:** The Defence questioned the witness about two photographs, allegedly taken secretly by the witness during the events of October 2002. These photographs showed Banyamulenge militiamen on the ferry used by the witness to transport them, surrounded by boxes which were said to contain weapons and ammunition.

² Forces Armées Centrafricaines (FACA) - Central African Republic Armed Forces

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02 October 2011

The Defence continued its' cross-examination of Witness 47.

During cross-examination by the Defence, witness 47 provided testimony on:

- **Contents of the ferry:** The witness alleged that on his journeys back from Bangui to Zongo, he transported: Weapons; Supplies; Ammunitions; Corpses; and Injured Persons.
- **Mr Bemba and Guard:** The witness alleged that he had met Mr Bemba on two separate occasions, and only became aware of his identity through his Warrant Officer. However, the witness further testified that Mr Bemba shook his hand as soon as he embarked on the ferry, without introducing himself. Furthermore, the witness alleged that the personal guard of Mr Bemba were Libyan officers.
- **Mr Bemba's vehicle in Bangui:** The witness testified that upon arrival in Bangui, the personal guard of Mr Bemba disembarked and got into 4x4 vehicles which were waiting at the dock. However, Mr Bemba rode in a separate vehicle, which the witness identified as a brand new Mercedes 4x4.

The hearing concluded early due to the witness' distress.

03 November 2011

The Defence concluded its' cross-examination of witness 47.

During cross-examination by the Defence, witness 47 provided testimony on:

- **General Mustafa of the MLC³:** The witness alleged that he had met General Mustafa, who reportedly commanded the Banyamulenge within the Central African Republic, twice. The witness mentioned that while there was no direct conversation between the two, the witness learned of General Mustafa through Warrant Officer Udon, who was an officer in the CAR Presidential Guard.
- **Transport of Weaponry:** The witness alleged that he had transported heavy weaponry in 4x4 vehicles across the river from Zinga to Batanga in Zaire. Furthermore, the witness mentioned that one of the 4x4 vehicles contained currency.

04 November 2011

The Prosecution commenced its' examination-in-chief of witness 33.

During examination-in-chief by the Prosecution, witness 33 provided testimony on:

- **Joint Operations with FACA:** According to the witness, the MLC and FACA forces only carried out 1 joint operation, which was carried out on October 27th 2002. The aim of this mission was to push back Bozizé's forces who were stationed at PK 13⁴.
- **Arrival of the MLC:** The witness testified that the MLC started arriving 2 days after Bozizé's attack. According to the witness, Bozizé's forces attacked on the 22nd of October 2002. The witness further testified that the MLC arrived from the DRC in a ferry, in groups of 30 - 50 men. Furthermore, the troops arrived with their light weaponry - heavy artillery and mortars arrived later on. The

³ Movement for the Liberation of the Congo

⁴ Point Kilometre 13, a location in Bangui, CAR which housed a FACA base.

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Ministry of Defence of CAR provided the MLC forces with vehicles and uniforms upon their arrival; they were also provided with money as to purchase food, rather than provided with army rations as the FACA troops.

The witness testified on 3 specific incidents he had witnessed:

- **FACA soldiers suspected of spying:** The MLC troops stationed at PK 13 suspected FACA soldiers of being spies, disarmed them and took their uniforms.
- **Alleged looting of the camp at PK 13 by the Banyamulenge:** Alleged looting by the Banyamulenge resulted in the MLC and the FACA having a standoff, which ended with a colonel being reportedly killed.
- **Witness denied entry into camp at PK 13:** The witness was denied entry into the camp by the MLC, thus hampering his ability to investigate the aforementioned incidents.

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