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Situation Case	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). Participants: 1713 victims represented by Legal Representatives for Victims: Ms. Marie Edith Douzima-Lawson and Mr. Assingambi Zarambaud
Hearing Chamber	Trial Proceedings Trial Chamber III: Judge Sylvia Steiner (Presiding Judge), Judge Joyce Aluoch and Judge Kuniko Ozaki	
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.
<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		Start of Trial: 22 November 2010

This week one witness testified:
Witness 31, (33rd Prosecution Witness), Colonel Thierry Lengbe: served with the Central African army, Forces Armées Centrafricaines (FACA), in Bangui, since 1987.

7 November 2011
The Prosecution finished its examination-in-chief of Witness 31. The Legal Representatives of Victims (LRVs) questioned the Witness. The Defence commenced its cross-examination.

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

- **Uniforms of the FACA¹:** The witness testified that the FACA forces did not have a distinct uniform. The different branches of the army (air force, army, navy) were distinguished by the colour of their berets.
- **Joint operation by MLC² and FACA:** The witness testified that there was only one joint operation by the MLC and the FACA.
- **MLC occupying civilian homes:** The witness alleged that the MLC soldiers settled in the neighbourhood of PK12³ and occupied and looted civilian houses and schools.
- **Unconventional troops in the surroundings of PK13⁴:** The witness alleged that in the area of PK 13, a Chadian militia group was conducting violent operations, including murder, against Central African civilians of Chadian origin, working in the livestock market.

¹ FACA: Central African Republic Armed Forces

² MLC: Movement for the Liberation of the Congo

³ Point-Kilometre 12: A suburb of Bangui where Bemba allegedly carried out crimes.

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

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- **Command Centre of Operation:** According to the witness, the MLC rarely contacted the Centre of Operation in Bangui. The person within the MLC with whom the FACA were generally in contact was "René".
- **Increase in Incidents:** The witness testified that the number of reported incidents of alleged plunder, rape and pillaging by the MLC increased around the 20th of November 2002. According to the witness, these incidents were not punished.
- **General Mustafa⁵:** According to the witness, Mustafa did not have the authority over his MLC troops to prevent the plunder. General Mustafa punished some of the perpetrators, the violence declined, but then it started again. The witness stated that Mustafa did not have any superior in the field. In general, Jean Pierre Bemba was his supervisor, as he was a member of the MLC militia.
- **Bemba's visit to Bangui:** The witness stated that Mr. Bemba came to Bangui once, on the invitation of President Patassé, around the beginning of November 2002. Mr. Bemba went to see his soldiers at PK 13. According to the witness, Mr. Bemba must have been aware of the alleged violent acts committed by Mustafa's troops.
- **Mustafa's reaction to the violence:** After the visit of Mr. Bemba, General Mustafa reacted in a firm manner and authorised the punishment of some perpetrators. The witness testified that this firm reaction and punishment did not last for long before the violence started again.
- **CAR providing MLC soldiers with munitions, money and vehicles:** The witness alleged that the Presidential Guard of the CAR provided the MLC soldiers with munitions and vehicles. Money for food was given to the MLC soldiers every day by the CAR authorities.

During the questioning by Maître Zarambaud (LRV), the witness provided testimony on:

- **Crimes allegedly committed by the MLC:** The witness alleged that crimes included; looting, pillaging and rape, but not murder against the civilian population.
- **Alleged Looting:** When the MLC started to set up its operations in homes of individuals in PK 13, looting allegedly started. These goods were taken to the DRC.
- **Punishment of some perpetrators:** The witness stated that some commanders and leaders of the MLC were brought before a Court in Gbadolité in the DRC and were convicted for crimes committed in CAR.

During the questioning by Maître Douzima (LRV), the witness provided testimony on:

- **Attack by Bozizé's troops:** The witness stated that at the time of an attack by Bozizé's men, on the 22nd of October 2002, the MLC was not present yet. MLC troops started arriving on 23/24 October 2002.

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

- **Hierarchy in CAR Military:** The witness stated that the Chief of Staff of the FACA forces was in command of the Centre of operation. The decisions to

⁵ General Mustafa was the acting field commander of the MLC forces during the commission of the alleged crimes

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launch an attack came from the Deputy Minister of Defence of the CAR who himself got the order from the President of the Republic - President Patassé.

8 November 2011

The Defence finished its cross-examination of Witness 31.

During the cross-examination by the Defence, witness 31 provided testimony on:

- **Goal of MLC by coming to CAR:** The witness stated that the MLC troops came to the Central African Republic after President Patassé asked them for help.
- **Vehicles made available to the MLC soldiers:** The witness alleged that vehicles belonging to the Central African army were made available to the MLC soldiers. This decision was taken by the Minister of Defence of the CAR.
- **Phones made available to the MLC:** The witness stated that phones were handed over to the MLC to communicate with the Centre for Command Operation.
- **Meeting with Mr. Bemba:** The witness stated that on the only occasion that he saw Mr. Bemba, he was not accompanied by bodyguards, only the Presidential guard.
- **Mr. Bemba being severe with his soldiers regarding the violence:** The witness stated that Mr. Bemba gave the impression of being annoyed by the violent acts committed by his troops in CAR. He immediately warned his troops when he heard about the looting.

At the end of his testimony, the witness made a declaration that he wished to see the ICC indicting General Mustafa who was the person in command, and who was, according to the witness, responsible for the crimes because he had not been able to avoid that his troops were looting.

9, 10 & 11 November 2011

No hearing.