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Deputy Prosecutor of the International Criminal Court

The Confirmation of Charges Hearing

The Case of the Prosecutor v. Jean-Pierre Bemba Gombo

ICC-01/05-01/08

Opening Remarks

The Hague

12 January 2009

Madam President,

Your Honours,

This case is about the criminal responsibility of Jean-Pierre Bemba. Jean Pierre Bemba is the founder and Commander in Chief of the *Mouvement de Libération du Congo*-The MLC. The MLC troops under Jean Pierre Bemba's command attacked hundreds of Central African Republic civilians. They committed mass rape, torture, killing and looting.

Let me tell you about witness 23: Witness 23 was a "chef de quartier" in Bangui. On the 8th of November 2002, Bemba's troops raided his house, he informed them that he was a representative of the government in the area. Bemba troops replied, "*Right, you are exactly the kind of person we are looking for, because you protect the rebels*". The soldiers fired their guns and witness 23's children started to scream in fear. One of his wives who was suffering from high blood pressure, fell to the ground. She subsequently became paralyzed and later died. Bemba's soldiers asked witness 23 whether he wanted to live or die. He replied that he wanted to live. They then asked him to lie on the ground in front of his wives and children and in a position of a horse. Witness 23 was then sodomised by three of Bemba's soldiers in front of his family for four hours, from 10:00 in the morning to 2 o'clock in the afternoon. All the three men ejaculated in him.

Witness 23 further states that after he was raped, "*they came to my wife. In front of my eyes, they abused my wife. After they finished with my wife they came to the kids*".

Madam President,

Your Honours,

It is the responsibility of the Office of the Prosecutor of the International Criminal Court to stand up for witness 23, for his wife, for his children, for hundreds of victims in The Central African Republic who suffered the same fate as witness 23. Many of these victims have died, either killed outright or raped and infected with the HIV virus.

Madam President,

Your Honours,

The MLC crimes began with their arrival in the Central African Republic in October 2002, to protect Patassé's Presidency from a rebellion. The crimes continued until the MLC withdrawal five months later in March 2003.

The evidence that your Honours will receive proves how the MLC, with Jean-Pierre Bemba as Commander in Chief, entered Central African Republic communities, such as Bangui, branded innocent civilians as rebel sympathizers, and subjected them to cruel, inhumane and humiliating treatment. Bemba's men went from house to house, looting the civilian possessions, raping mothers, wives, daughters, sodomizing community leaders and other men, and killing those who resisted or tried to protect themselves.

The MLC crimes against the Central African Republic civilian population were crimes committed in a widespread manner ... location by location, following the progress of MLC soldiers through the Central African Republic

as they moved ... and as they eventually retreated back to the Democratic Republic of Congo.

The circumstance of the rapes suffered by witness 23 and his family showed that crimes committed by Bemba's men were not opportunistic events during the MLC campaign. Those crimes were part of the systematic attack against the civilian population of the Central African Republic.

The mass number of sexual crimes committed by MLC forces under Bemba's command, which outnumbered killings, led the Prosecution to focus on sexual violence, rapes and other abuses committed with particular cruelty, many of which constituted torture. Jean Pierre Bemba wanted to terrorize and traumatize the population and make them unwilling to support the rebels. To do so he chose rape as his main weapon. Rapes of women, men and little children. Rapes in public places. Gang rapes. Rapes of mothers in the presence of their children, rape of children as their parents were forced to watch.

This is the case that the Prosecution will present to your honours. This is the case about the criminal responsibility of Jean Pierre Bemba.

This is the case before this Court.

Madame President, your Honours, we will present a summary of the Prosecution's evidence against Jean-Pierre Bemba, and with your permission, I would like to invite Senior Trial Lawyer Petra Kneuer to summarize the Prosecutions evidence.

Thank you.