

PUBLIC REDACTED ANNEX V

Maitre Aime Kilolo-Musamba
[REDACTED]

1 March 2012

Confidential, Ex Parte to the Registrar and Deputy Registrar

Copy to:
Counsels Support Section of the ICC
[REDACTED], Special Adviser to the Registrar on External Relations
Trial Chamber III

Report of the Defence Team of Mr. Jean-Pierre Bemba of Defence Mission to Cameroon

I, Maitre Aime Kilolo, Co-Counsel for the Defence of Mr. Jean-Pierre Bemba, have just completed a mission to Cameroon, on which I was accompanied by Kate Gibson, Legal Assistant. The mission took place between 20 and 27 February 2012 and its purpose was to interview potential witnesses for the Defence.

The mission was organized with the assistance of the Counsel Support Section, and ICC Travel Section. Ms Gibson and I received “courtesy visas” from the Government of Cameroon to facilitate our travel. We also received a mission letter signed by the Registry (copy in annex), and were provided with a letter from the Embassy of the Republic of Cameroon in The Hague (copy in Annex), providing us with a contact in the Ministry of Justice of Cameroon.

When attempting to catch the return flight to Brussels on the night of 27 to 28 February 2012, the border police of Cameroon identified and separated Kate Gibson, on the apparent basis that she was reported as being someone who’s luggage needed to be searched. It was observed in attempting to go through passport control that Ms Gibson’s name was on a list held by the two police officers who were checking passports. Ms Gibson was ordered to report to the office of the Chief Commissioner of Police located in the airport, and I accompanied her.

We presented our mission letter from the ICC and explained that we were in Cameroon on an official mission of the ICC, and on my insistence, her luggage containing confidential documents relevant to the presentation of the Defence were not ultimately searched. The Commissioner of Police, however, informed me that they had received information from the Embassy or Consulate of France, originating from the Belgian police that asked for Kate Gibson to be targeted, and for the Cameroon police identify the reason for her mission to Cameroon. The Commissioner also stated that they knew that she was working as part of the Defence team of Mr. Jean-Pierre Bemba. This information was not contained in the mission letter presented during this incident, (reference just being made to a case number) nor did we inform the Cameroon police of this fact. Following a discussion, we were eventually permitted to leave Cameroon territory.

The Defence of Mr. Jean-Pierre Bemba asks the Registry to conduct an inquiry into this incident, and that the Defence team be given sufficient guarantees of their ability to conduct investigative missions without interference. We ask that this be done as a matter of particular urgency, given the upcoming mission of the Defence to the Democratic Republic of Congo which will commence prior to 20 March 2012.

Thank you for your assistance.

For the Defence of Mr. Jean Pierre Bemba,

Maitre Aime Kilolo-Musamba