

ICC Appeals Chamber acquits former Congolese Vice President Bemba from war crimes charges

The Appeals Chamber of the International Criminal Court (ICC), on Friday, decided to acquit Jean-Pierre Bemba Gombo, former Vice President of the Democratic Republic of the Congo (DRC) and head of a rebel group in the country, on charges of war crimes and crimes against humanity.

According to a [news release](#) issued by the ICC, the Appeals Chamber found, by majority, that the Court's Trial Chamber III – which delivered the original sentence – had “erred on two important issues”, including the wrongful conviction of Mr. Bemba “for specific criminal acts that were outside the scope of the charges as confirmed.”

It added that the Trial Chamber made serious errors in its assessment of whether Mr. Bemba took all necessary and reasonable measures to prevent, repress or punish the commission by his subordinates of the other crimes within the scope of the case.

“More specifically, the Trial Chamber erred in its evaluation of Mr. Bemba’s motivation and the measures that he could have taken in light of the limitations he faced in investigating and prosecuting crimes as a remote commander sending troops to a foreign country; in whether he made efforts to refer the allegations of crimes to the Central African Republic (CAR) authorities; and in whether he intentionally limited the mandate of commissions and inquiries that he established,” added the news release.

Furthermore, in the view of the Appeals Chamber majority, there was an apparent discrepancy between the limited number of crimes within the case’s scope for which Mr. Bemba was held responsible and the Trial Chamber’s assessment of which measures he should have taken.

Mr. Bemba will, however, remain in detention on account of a different case in which he has been convicted of offences against the administration of justice, pending a decision of Trial Chamber VII, within the ICC.

In 2016, Mr. Bemba was [originally sentenced](#) to 18 years in prison, after the Chamber found him “guilty beyond reasonable doubt” as a military commander responsible for two counts of crimes against humanity (murder and rape) and three counts of war crimes (murder, rape, and pillaging) committed in the Central African Republic between October 2002 and March 2003.