

New Bribery Claims Revealed

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Trial hears further allegations of corruption during prosecution investigations. By Wairagala Wakabi in The Hague

The trial of alleged Congolese warlord Thomas Lubanga heard testimony this week from a witness who said an intermediary of prosecutors at the International Criminal Court, ICC, had paid him to give evidence to investigators.

The witness said that he had received money from the go-between - referred to as Mr X - in return for telling the ICC investigators that he had served as a child soldier in the armed wing of the Union of Congolese Patriots, UPC.

Lubanga, allegedly the former head of this group, is on trial at the ICC over the use of child soldiers in inter-ethnic conflict in the Democratic Republic of Congo, DRC, during 2002 and 2003.

The witness, whose identity was concealed with voice and face distortion, said Mr X asked him to convince other people in the Congolese town of Bunia to tell ICC prosecutors that they had served as child soldiers in the UPC.

But prosecutors dismissed this witness as a liar whose testimony could not be trusted.

"You have lied to the Office of the Prosecutor (OTP) for the last four years. You cannot be believed now," prosecutor Manoj Sachdeva told the witness.

The witness denied that he had told any lies in court, where he has been testifying for the past three days.

Sachdeva noted that, not once during the interviews with the OTP investigators, which took place between 2005 and 2007, did the witness claim that he had lied to them.

The witness said that Mr X did not attend any of the interview sessions he had with prosecution investigators in Kampala. But he added that Mr X would coach him every evening on what to tell investigators the following day.

"He told me that he was working with the ICC," the witness said. "He told me that he needed someone to say something about... Lubanga, so that is what we planned during the meetings: to tell lies."

The witness said that he was introduced to prosecution investigators in a nightclub in Bunia, a few weeks after meeting Mr X.

"What kind of lies had to be planned with Mr X?" asked defence counsel Jean-Marie Biju-Duval.

"The lie that we had to plan was to say that [Lubanga] had enrolled children in the army and that I myself was amongst those children and that I had seen those children.

"Furthermore that there had been young girls [in the UPC]."

Biju-Duval asked the witness why he agreed to meet investigators in order to tell them lies.

"Well, at that time there was money and they bought me drinks and they encouraged me to take action," he said.

Biju-Duval showed the witness three receipts and asked him whether he recognised the signatures on them. The witness said he recalled signing those receipts when Mr X gave him money while they were in Kampala for meetings with OTP investigators.

Biju-Duval then asked the witness about the amounts of money on the receipts, and whether he recalled receiving them.

One US 400 dollar receipt was for "reimbursement of services provided and expenses incurred". The witness said he did not receive this amount on a single day.

Another with his signature on acknowledged receipt of 700 dollars, but the witness said that he could not

recall the precise sum.

Two other receipts, entitled “loss of earnings” and “transport”, were shown to the witness. He said he recognised his signature on them but did not recall receiving the money.

Another receipt showed the witness had his bill at a store in Kampala paid for, but he declined to discuss those expenses in public session.

The witness said that he had decided to stop the lies after he was threatened by former UPC soldiers and after his own family found out what he had been doing.

Previous defence witnesses have also testified that intermediaries bribed, coerced or duped some people into telling stories intended to incriminate Lubanga.

Next week, a former prosecution witness, who testified briefly last June and told the court that he had lied to prosecutors, is expected to give fresh testimony.

IWPR's weekly updates of the Thomas Lubanga trial are produced in cooperation with the Open Society Justice Initiative of the Open Society Institute, OSI. Daily coverage of the trial can be found at <http://www.lubangatrial.org/>.

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