

**Public redacted version of
ANNEX
to "Fourth Decision on Victims'
Participation" ICC-01/05-01/08-320 of
15 December 2008**

Assessment of applications of victims

▪ Application [REDACTED]

1. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. In this regard, the Single Judge notes that both parties have pointed out that the age of the person given in the application form, namely 84,² does not coincide with his year of birth in the documents attached to the application. However, the Single Judge notes that the official documents appended to his application form mention the exact same information in relation both to his date of birth and all other identifying information. The Single Judge is of the view that the age to be relied on is the one provided in the identity documents of the applicant. Thus, the aforementioned discrepancy is not of such nature as to cast doubt on his identity. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

2. The person alleges that sometime in November 2002, men that he describes as being "*Banyamulengués*", attacked his family in Bangui and that, while trying to protect his family, he was shot at his leg. He further claims that the aforementioned men killed one of his children and that another one died a week later as a result of his wounds. Furthermore, he alleges that the "*Banyamulengués*" pillaged his property and destroyed his house.

¹ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx1.

² *Ibid.*, Section A of the application form

3. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the Mouvement de Libération du Congo (the "MLC") in the Central African Republic (the "CAR") from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

4. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

5. The person alleges that on 25 October 2002, around 30 men that she describes as being "*Banyamulengués* (éléments du MLC de J. P BEMBA)" attacked her and her family at her home located in Bangui and perpetrated atrocities on them for four hours. She further claims that she was beaten, threatened and raped by three of the aforementioned men. She also declares that her daughter was raped and that her son and her brother-in-law, who was living with them, were brutally beaten. Furthermore, she alleges that the "*Banyamulengués*" occupied her home for two days, pillaged her house and destroyed her property.

6. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional

³ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx2.

suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(e)(vi) and/or 8(2)(e)(v) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) of the Statute.

▪ Application [REDACTED]

7. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

8. At the outset, the Single Judge notes that the applicant, when describing the events occurred, indicated the date of the crime as "15 mars 2008". Both the Prosecutor and the Defence have drawn the attention of the Single Judge to this inconsistency. The Single Judge considers that although the person in one instance alleges in Section D of the application form,⁵ that the events described occurred on 15 March 2008, he then, in several other instances, mentions the date of 15 March 2003.⁶ Thus, the Single Judge is of the view that the only occurrence of "2008", the year in which he filled out his application, is to be considered as an oversight and cannot, by itself, cast doubt on the intrinsic coherence of the application.

⁴ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx3

⁵ *Ibid.*, see p. 9 of the application form.

⁶ *Ibid.*, in particular the second part of question 1 in Section D of the application form and pp 18, 19, 21 and 22.

9. Further, the person alleges that on 15 March 2003 "soldiers", that he also describes as "*les libérateurs*", entered the house in Bangui, rented by his son, and killed his son and raped his daughter-in-law. He further declares that his daughter-in-law consequently died a year later and that he is taking care of his grandchildren since then.

10. The Single Judge observes that although the person does not precisely qualify the alleged perpetrators of the aforementioned acts in the application form, the person attached to his application form [REDACTED] in which he describes the alleged perpetrators as being the "*Baya-mulengués*."⁷

11. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8 (2)(e)(vi) of the Statute.

▪ Application [REDACTED]

12. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied

⁷ *Ibid*, p. 21, see also [REDACTED] attached on p. 19.

⁸ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx4.

that the applicant is a natural person and that her identity has been duly established.

13. The person alleges that on 1 November 2002 members of the troops of Mr Jean-Pierre Bemba entered her house in Bangui while she was absent and terrorised her mother and children and threatened to kill them. She further declares that they then pillaged and devastated her house.

14. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

15. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

16. The person alleges that on 1 November 2002 members of Mr Jean-Pierre Bemba's troops pillaged his house in Bangui and destroyed his property.

⁹ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx5

17. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

18. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

19. The person alleges that between end of October 2002 and November 2002¹⁰ men that she describes as being “*Banyamulengués* de Mr Jean-Pierre Bemba” entered her house located in Bangui and pillaged and destroyed it as well as her property. She further claims that her cousin, who was guarding her house, was tortured by the aforementioned men and compelled to cook for them.

20. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

¹⁰ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx6; Additional Information in ICC-01/05-01/08-150-Conf-Exp-AnxA and ICC-01/05-01/08-265-Conf-Exp-Anx1-Anx3.

¹¹ Clarifications as to the date of the alleged crime(s) has been submitted in the Additional Information ICC-01/05-01/08-265-Conf-Exp-Anx1.

▪ Application [REDACTED]

21. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

22. The person alleges that on 13 February 2003 men that he describes as being "*Banyamulengués*" alongside FACA troops entered [REDACTED]. He further claims that the aforementioned men killed his father who tried to oppose the pillaging of his house. He also declares that the aforementioned men pillaged both his father's and his own house using the person's vehicle as a tank.

23. The Single Judge observes that both the "*Banyamulengués*" and FACA troops have been mentioned by the person to be the cause for the harm suffered. The Single Judge also notes that the person provides further clarification in the Additional Information explaining that the "*Banyamulengués*" pillaged his house and killed his father.¹³ The Single Judge reiterates that the acts allegedly committed by the "*Banyamulengués*" must not have played a substantial part or be the predominant cause of the harm allegedly suffered. The Single Judge, based on the information provided, is of the view that the acts allegedly committed by the "*Banyamulengués*" have contributed to the harm allegedly suffered. Thus, the Single Judge has sufficient information to be satisfied that the person has suffered harm, including emotional suffering and economic loss, as a

¹² Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx7; Additional Information in ICC-01/05-01/08-146-Conf-Exp and ICC-01/05-01/08-265-Conf-Exp-Anx4 and Anx5.

¹³ Additional Information, ICC-01/05-01/08-265-Conf-Exp-Anx4.

result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

24. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

25. The person alleges that on 25 October 2002 and 15 March 2003 soldiers of General Bozizé coming from Chad occupied and pillaged his house in [REDACTED]. Both, the Defence and the Prosecutor have drawn the attention of the Single Judge to the fact that the alleged crimes were allegedly committed by General Bozizé's troops.

26. The Single Judge is of the view that the incidents and the harm the person alleges fall outside the factual scope of the present case insofar as he claims that the acts were allegedly committed by soldiers of General Bozizé which do not form the factual basis provided in the document containing the charges pursuant to article 61(3)(a) of the Statute. Therefore, the application for participation in the present case is rejected.

¹⁴ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx8, Additional Information in ICC-01/05-01/08-151-Conf-Exp-AnxA and ICC-01/05-01/08-265-Conf-Exp-Anx6-Anx7.

▪ Application [REDACTED]

27. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

28. The person alleges that on 25 February 2003 two MLC soldiers¹⁶ found him in his refuge outside [REDACTED]. He further claims that they beat him resulting in fractures of his arms and several injuries notably on his face and his back. In addition, he alleges that they also pillaged his belongings.

29. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

30. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

¹⁵ Application for participation ICC-01/05-01/08-137-Conf-Exp-Anx9

¹⁶ *Ibid.*, p. 11.

¹⁷ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx10.

31. The person alleges that in the night of 30 to 31 October 2002 three different groups of MLC soldiers entered her house in Bangui at different times during the day. She claims that the first group pillaged her house. Members of the second group also pillaged her house, and three members of that group raped her. She further declares that the third group also pillaged her house and, when her brother tried to intervene, they shot him to death.

32. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

33. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

34. The person alleges that sometime between the end of October 2002 and beginning of November 2002 MLC soldiers entered her house in Bangui. She claims that several of the aforementioned soldiers raped her and that she

¹⁸ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx11.

consequently contracted HIV. In addition, she declares that they pillaged her house and property.

35. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

36. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

37. The person alleges that on 27 February 2003, an MLC soldier forced her to enter a house where he raped her at gunpoint in [REDACTED]. She further declares that her rape resulted in her unwanted pregnancy.

38. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury as well as emotional suffering, as a result of the crimes allegedly committed by the MLC in

¹⁹ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx12.

the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

39. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

40. The person alleges that on 25 January 2003 his father and sister were arrested by MLC soldiers in [REDACTED] accusing him of having [REDACTED]
[REDACTED] He claims that his father and sister have been [REDACTED] and tortured and that his sister was raped during [REDACTED] days before his father and sister were both [REDACTED] to [REDACTED] He further declares that on 29 January 2003, once they [REDACTED] in [REDACTED] his sister was [REDACTED] and his father was further [REDACTED] to [REDACTED] and killed.

41. The Prosecutor maintains that the person has not “explicitly claim[ed] to have suffered personal harm as a result of the crimes committed against his relatives”.²¹ However, the Single Judge, having carefully reviewed the application in question, cannot conclude that the person did not claim any personal harm. In Section E of the application form, the person explicitly refers to

²⁰ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx13.

²¹ ICC-01/05-01/08-206-Conf, para. 39

the death of his father as personal harm. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) of the Statute.

▪ Application [REDACTED]

42. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

43. The person alleges that on 27 October 2002 two MLC soldiers raped her and her sister-in-law in Bangui and that she consequently contracted HIV. She further claims that her belongings were pillaged.

44. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

²² Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx14

▪ Application [REDACTED]

45. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

46. The person alleges that on 19 February 2003 men that he describes as being “*Banyamulengués*” arrived in [REDACTED]. He declares that on 24 February 2003, three of the aforementioned men arrived to the place where he had taken refuge with his family and that they raped his two-months-pregnant daughter before abducting her [REDACTED]. When he tried to prevent her abduction, he was wounded. He further claims that, as a result of the rape, his daughter contracted HIV and died. Moreover, he also alleges that the “*Banyamulengués*” pillaged his property.

47. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]²⁴

²³ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx15

48. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

49. The person alleges that on 8 or 9 December 2002 two men that she describes as being "*Banyamulengués*" entered her home in [REDACTED]. She declares that one of them beat and raped her in front of her six year old son. She further alleges that when she told her partner about this event, he chased her from her house. She now lives alone with her son who witnessed the events. In addition, she also alleged that the "*Banyamulengués*" pillaged her house and destroyed her property.

50. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

51. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the

²⁴ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx16

²⁵ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx17; Additional Information in ICC-01/05-01/08-146-Conf-Exp and ICC-01/05-01/08-265-Conf-Exp.

requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

52. The person alleges that in January 2003 Chadian soldiers supporting General Bozizé occupied [REDACTED] who fought against men he describes as being "*Banyamulengués*". He claims that at the time of fighting between those two groups, he and his family fled [REDACTED] and that they only returned home once the troops of General Bozizé took power in Bangui on 15 March 2003. He declares that upon his return he noted that his house had been pillaged.

53. The Prosecutor and the Defence draw the attention of the Single Judge to the fact that the alleged perpetrators cannot be identified. The Single Judge observes that both the "*Banyamulengués*" and Chadian soldiers supporting General Bozizé have been mentioned by the person to be present at the time of the alleged events and to be the cause for the harm suffered. The Single Judge reiterates that the acts allegedly committed by the "*Banyamulengués*" must not have played a substantial part or be the predominant cause of the harm allegedly suffered. The Single Judge, based on the information provided, is of the view that the acts allegedly committed by the "*Banyamulengués*" have contributed to the harm allegedly suffered. Thus, the Single Judge has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

54. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

55. The person alleges that on 2 November 2002 men that he describes as being “*banyamulengués de l’armée de Jean Pierre Bemba*” entered Bangui. He thus instructed his family to leave their house and to leave behind only the warden. He further claims that his house was occupied until the end of February 2003 by the aforementioned men who used his warden as a cook. Furthermore, he declares that upon his return he noted that his house was pillaged and his property destroyed.

56. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

²⁶ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx18; Additional Information in ICC-01/05-01/08-143-Conf-Exp-Anx.

²⁷ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx19; Additional Information: in ICC-01/05-01/08-144-Conf-Exp-AnxA and ICC-01/05-01/08-265-Conf-Exp-Anx8.

57. Application [REDACTED] is submitted by a man of Central African nationality on behalf of his deceased mother. In addition, the Single Judge infers from the application that the person submitting the application also makes such application on his own behalf. In the present case, the Single Judge notes that the person submitting the application has provided proof of his identity together with proof of his deceased mother's identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the person submitting the application is a natural person and that his identity and kinship with the deceased family member have been duly established. In addition, the Single Judge is satisfied that the mother of the person submitting the application was a natural person and that her identity has been duly established.

58. The person submitting the application alleges that from 14 until 16 February 2003 members of the troops of Mr Jean-Pierre Bemba that he also describes as being "*Banyamulengués*" systematically pillaged the town of [REDACTED]. During these events, he claims that his property was pillaged and destroyed. He further claims that his mother was traumatised and subsequently died in 2007.

59. In light of the information provided, the Single Judge is not convinced that the death of his mother can be attributed to the alleged events that took place four years previous to her death. Therefore, the Single Judge is not satisfied that the events were causal to the death of the person concerned. Thus, the Single Judge rejects the application for participation in the present case, insofar as the applicant acts on behalf of his deceased mother.

60. However, the Single Judge is of the view that he has sufficient information to be satisfied that the person submitting the application has suffered harm,

including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

61. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

62. The person alleges that on 29 October 2002 members of the troops of Mr Jean-Pierre Bemba that he also describes as being "*Banyamulengués*" entered his neighbourhood in Bangui and fired at his aunt's house. He further claims that his aunt was shot in the chest and died.

63. In light of the information provided, notably the "*Procès verbal de Conseil de famille*" designating the applicant as his aunt's heir, the Single Judge considers that the person has established his kinship and close relationship with his deceased aunt.

64. The Single Judge is further of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or

²⁸ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx20.

about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) of the Statute.

▪ Application [REDACTED]

65. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

66. She alleges that on 25 October 2002, at a crossroad in Bangui, soldiers shot at her son and his friends who were in her son's pick-up truck. She also declares that they forced them out of the pick-up truck and killed her son before stealing his vehicle.

67. The Prosecutor and the Defence draw the attention of the Single Judge to the fact that the alleged perpetrators cannot be identified. In this respect, the Single Judge is also of the view that he has not sufficient information to be satisfied that the harm the person allegedly suffered is a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003. Therefore, a decision on this application is deferred until further clarifications and documents in support thereof, as established by the decision, are submitted.

²⁹ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx21.

▪ Application [REDACTED]

68. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the Decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

69. The person alleges that on 1 November 2002 men that he describes as being “Banyamulengués” arrived in his neighbourhood in Bangui. He further declares that one of their [REDACTED] occupied his house and used his warden as a servant. He claims that he returned to his house after their withdrawal at the end of January 2003. He saw that his house was pillaged and his property destroyed.

70. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

71. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied

³⁰ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx22; Additional Information in ICC-01/05-01/08-152-Conf-Exp-AnxA-AnxB and ICC-01/05-01/08-265-Conf-Exp-Anx9-Anx10.

³¹ Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx23, Additional Information in ICC-01/05-01/08-145-Conf-Exp-AnxA and ICC-01/05-01/08-265-Conf-Exp-Anx11.

that the applicant is a natural person and that his identity has been duly established.

72. The person alleges that on 25 October 2002 men that he describes as being “Banyamulengués” arrived in his neighbourhood in Bangui. He further declares that they occupied his house. He also claims that, after their withdrawal at the end of December 2002, he returned to his house and noted that it had been pillaged and his property destroyed.

73. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

74. With regard to the application submitted on behalf of the church, the Single Judge refers to paragraphs 54 to 56 of the decision. A decision on this part of the application is deferred until further information is submitted.

▪ Application [REDACTED]

75. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the Decision. Accordingly, the Single Judge is satisfied

³² Application for participation, ICC-01/05-01/08-137-Conf-Exp-Anx24; Additional Information in ICC-01/05-01/08-153-Conf-Exp-AnxA and ICC-01/05-01/08-265-Conf-Exp-Anx12.

that the applicant is a natural person and that his identity has been duly established.

76. The person alleges that sometime in November 2002 men that he describes as being “*Banyamulengués*” arrived in his neighbourhood in Bangui. He further declares that they occupied and pillaged his house and destroyed his property.

77. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 8(2)(e) (v) of the Statute.

▪ Application [REDACTED]

78. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

79. The person alleges that between 7 December 2002 and 23 February 2003 her son was arrested near [REDACTED] by a group of men that she describes as being “*Banyamulengués*.” She states that her son was [REDACTED] to the [REDACTED] of the [REDACTED] located in [REDACTED]. She further declares that she followed them and that she later witnessed her son’s killing by members of the aforementioned group.

³³ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx1.

She alleges that the aforementioned “*Banyamulengués*” [REDACTED]
[REDACTED]. She also claims that in her village the “*Banyamulengués*” pillaged her house and her property.

80. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

81. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

82. The person alleges that between 30 and 31 October 2002, while he left his house to seek refuge in another house, men that he describes as belonging to Mr Jean-Pierre Bemba’s MLC troops entered in three different groups and at three different times of the day in his house in Bangui where his children had remained. He claims that they pillaged his house and property. He also declares that when trying to prevent the theft of his motorcycle, his son was shot to death. Furthermore, he alleges that in the house, where he had found refuge, two

³⁴ Application for participation: ICC-01/05-01/08-224-Conf-Exp-Anx2.

groups of men that he describes as being members of the MLC attacked him and the persons seeking refuge in that house. Moreover, he further declares that they undressed and beat him in front of his spouses, children and other persons.

83. The Single Judge notes that the Defence alleged "internal inconsistencies" in the application. However, the Single Judge is of the view that he has sufficient and coherent information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

84. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

85. The person alleges that in October 2002, after the retreat of the troops who attempted a *coup d'état*, men that he describes as "*les rebelles de Jean Pierre Bemba appelés communément 'les BAGNAMOULENGUÉ'*" arrived in his neighbourhood in Bangui. He declares that many persons then sought refuge in his compound. He further alleges that on 30 October 2002, armed men entered his house looking for rebels affiliated to General Bozizé. He declares that the aforementioned men

¹⁵ Application for participation: ICC-01/05-01/08-224-Conf-Exp-Anx3.

addressed his family in Sango language and that they threatened to kill them and pillaged his house.

86. The Single Judge notes that, according to the person, the men who allegedly pillaged his house and threatened his family were addressing them in Sango which is the official language in the CAR. The Single Judge further observes that, according to the information at his disposal, the fact that the aforementioned men spoke in Sango language rules out the probability that they came from the Democratic Republic of the Congo from where the MLC troops were allegedly coming. Thus, the Single Judge is of the view that he has not sufficient information to be satisfied that the person has suffered harm as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003. Therefore, the application for participation in the present case is rejected.

▪ Application [REDACTED]

87. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

88. The person alleges that on 5 March 2003 two men that she describes as belonging to Mr Jean-Pierre Bemba's MLC troops entered her house in

³⁶ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx4.

██████████ looking for money. She claims that members of the aforementioned group tried to rape her daughter and that, when she tried to escape, she was shot to death. She also declares that they pillaged her property.

89. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(v) of the Statute.

▪ Application ██████████

90. Application ██████████ is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

91. The person alleges that from 7 December 2002 to 23 February 2003 men that he describes as being “*Banyamulengués*” were present in ██████████. He further declares that he and his family sought refuge in the bush. The person alleges that he went back to ██████████ to seek for supplies when on 17 December 2002 men that he describes as being “*Banyamulengués*” and belonging to Mr Jean-Pierre Bemba’s MLC troops abducted him. He also claims that the aforementioned men pillaged his property.

³⁷ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx5.

92. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

93. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

94. The person alleges that on 19 February 2003 men that he describes as Mr Jean-Pierre Bemba's men entered in the town of [REDACTED]. He claims that the aforementioned men entered the house where his mother and younger sister were hiding. He further declares that they shot both of them to death and that they pillaged their property.

95. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering due to the death of his mother and sister, as a result of the crimes allegedly committed

¹⁸ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx6.

by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) of the Statute.

▪ Application [REDACTED]

96. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

97. The person alleges that between 9 December 2002 and 18 February 2003 men that he describes as “*Banyamulengués*” belonging to Mr Jean-Pierre Bemba’s MLC troops occupied his house in [REDACTED]. He declares that during that period, his family and he were kept captive in his house by the aforementioned men. He also adds that he was enslaved and forced to work for them. He claims that they also pillaged his house and property.

98. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

³⁹ Application for participation. ICC-01/05-01/08-224-Conf-Exp-Anx7.

- Application [REDACTED]

99. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

100. He alleges that on or about 4 November 2002, while he and his family were hiding from the fights in Bangui, his three sons went back to their house in Bangui to save some of their belongings. He declares that when they arrived at the house, they were surprised by a group of men that he describes as being “*Banyamulengués*” belonging to Mr Jean-Pierre Bemba’s troops. He claims that they severely beat his sons and subjected them to long questioning. He also alleges that they pillaged and destroyed his house and property.

101. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 8(2)(e)(v) of the Statute.

⁴⁰ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx8: Additional Information in ICC-01/05-01/08-240-Conf-Exp-Anx1-Anx2 and ICC-01/05-01/08-255-Conf-Exp-Anx1-Anx2

▪ Application [REDACTED]

102. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Nevertheless, the Single Judge notes the existence of inconsistencies between the age he alleges to have in a document attached to the application form⁴² and the age and year of birth that appear on the application form and his identity card attached to the application form. However, the Single Judge notes that the official document appended to his application form mentions the exact same information as the one appearing in the application form in relation both to his date of birth and all other identifying information. Thus, the aforementioned discrepancy is not of such nature as to cast doubt on his identity. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

103. The person alleges that on 30 October 2002 men that he describes as belonging to Mr Miskine's troops attacked him and other persons outside of his house. He further declares that the aforementioned men shot at them, injuring him and killing his brother.

104. The Prosecutor has drawn the attention of the Single Judge to the fact that the alleged perpetrators of the acts were referred to as Mr Miskine's troops.⁴³ The Single Judge is of the view that he has not sufficient information to be satisfied that the harm the person allegedly suffered was a result of the crimes allegedly

⁴¹ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx9; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx1-Anx2 and ICC-01/05-01/08-255-Conf-Exp-Anx3-Anx6.

⁴² Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx9, p.19

⁴³ ICC-01/05-01/08-286-Conf, para. 46

committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003. Therefore, the application for participation in the present case is rejected.

▪ Application [REDACTED]⁴⁴

105. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

106. The person alleges that on 31 October 2002 men that he describes as being “Banyamulengués” belonging to Mr Jean-Pierre Bemba’s troops entered his neighbourhood in Bangui. He declares that they raped his wife in front of him and that they tied him up and sodomized him in front his wife. He also claims that they pillaged his property.

107. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c) (ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

⁴⁴ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx10; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx3-Anx4.

▪ Application [REDACTED]

108. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

109. The person alleges that on 8 November 2002 men that he describes as being “*Banyamulengués*” invaded his neighbourhood in Bangui. He declares that they pillaged his house and property. He further claims that he was shot at and injured and that his sister was shot to death and her belongings were pillaged. He further alleges that he was abducted by the aforementioned men in order to show them where people were living who owned money.

110. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional harm as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

⁴⁵ Application for participation: ICC-01/05-01/08-224-Conf-Exp-Anx11. Additional Information: ICC-01/05-01/08-234-Conf-Exp-Anx5-Anx6 and ICC-01/05-01/08-255-Conf-Exp-Anx7.

▪ Application [REDACTED]

111. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

112. The person alleges that on 8 November 2002 men that he describes as being "*Banyamulengués*" followed him to his house in Bangui accusing him to support the rebellion. He further declares that they attacked his family, raped him as well as four of his daughters and his wife. Moreover, he alleges that the aforementioned "*Banyamulengués*" pillaged his house and property. He also claims that later on, on 12 November 2002, they beat his brother-in-law who died as a result of his injuries.

113. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e) (vi) of the Statute.

⁴⁶ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx12; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx7-Anx8 and ICC-01/05-01/08-255-Conf-Exp-Anx8-Anx9.

▪ Application [REDACTED]

114. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

115. The person alleges that on 31 October 2002, men that she describes as being soldiers of Mr Jean-Pierre Bemba entered her family house in Bangui. She claims that they killed her father who was trying to prevent them from brutalizing his children. She further declares that several of the aforementioned soldiers raped her as well as her two daughters. Moreover, she alleges that they also pillaged her property.

116. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e) (vi) of the Statute.

⁴⁷ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx13; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx13-Anx14.

▪ Application [REDACTED]

117. Application [REDACTED] is submitted by a person on behalf of a minor of Central African nationality. The Single Judge observes that the application is supported with (i) proof of the minor's identity, (ii) the consent of the minor's legal guardian, his maternal aunt, and (iii) proof of the legal guardian's identity,⁴⁸ all fulfilling the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the minor is a natural person and that his identity has been duly established. The Single Judge is also satisfied that both the identity and the legal standing of the aunt to submit the application on behalf her nephew have also been duly established.

118. The person alleges that sometime at the end of October 2002 men that he describes as being "*Banyamulengués*" arrived in Bangui at a location where his mother and he tried to seek refuge. He further declares that the aforementioned men attacked him and his mother. He claims that he was consequently injured and that the aforementioned men then sodomized him when he tried to oppose the rape of his mother. Moreover, he claims that as a result of her rape, his mother was contaminated with HIV and subsequently died.

119. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia*

⁴⁸ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx14 and Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx9 and Anx12

⁴⁹ Additional Information, ICC-01/05-01/08-234-Conf-Exp-Anx9, Anx10 and Anx11.

under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e) (vi) of the Statute.

▪ Application [REDACTED]

120. Application [REDACTED] is submitted by a person on behalf of a minor of Central African nationality. The Single Judge observes that the application is supported with (i) proof of the minor's identity, (ii) the consent of her legal guardian, her mother, and (iii) proof of the mother's identity,⁵¹ all fulfilling the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the minor is a natural person and that her identity has been duly established. The Single Judge is also satisfied that the identity of the minor's mother and their kinship has been duly established.

121. The person alleges that on 31 October 2002 men that she describes as "Banyamulengués" soldiers of Mr Jean-Pierre Bemba entered the family house in Bangui. She claims that the aforementioned men killed her grand-father. She further declares that several of the aforementioned soldiers raped her and that at that time she was nine years old. She adds that they also raped her mother as well as her grand-mother and her older sister.

122. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm including, physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia*

⁵⁰ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx15.

⁵¹ Additional Information, ICC-01/05-01/08-234-Conf-Exp-Anx13, the proof of the mother's identity is to be found in Application [REDACTED] ICC-01/05-01/08-224-Conf-Exp-Anx13, page 18.

under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

123. Application [REDACTED] is submitted by a person on behalf of a minor of Central African nationality. The Single Judge observes that the application is supported with (i) proof of the minor's identity, (ii) the consent of her legal guardian, her mother, and (iii) proof of the mother's identity,⁵² all fulfilling the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the person is a natural person and that her identity has been duly established. The Single Judge is also satisfied that the identity of the minor's mother and their kinship has been duly established.

124. The person alleges that on 31 October 2002 men that she describes as being soldiers of Mr Jean-Pierre Bemba entered the family house in Bangui. She claims that they killed her grand-father who was trying to prevent them from brutalizing his family. She further declares that several of the aforementioned soldiers raped her and that at that time she was eleven years old. She adds that they also raped her grand mother and her mother as well as her younger sister.

125. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm including, physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia*

⁵² Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx16

⁵³ Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx13, the proof of mother's identity is to be found in Application [REDACTED] ICC-01/05-01/08-224-Conf-Exp-Anx13, page 18.

under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

126. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

127. The person alleges that on 27 October 2002, she and her children fled the combats in her neighbourhood in Bangui. Beginning November 2002, while on their way, near [REDACTED], three men that she describes as being "*Banyamulengués*" caught her and raped her.

128. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

⁵⁴ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx17; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx17 and Anx18.

▪ Application [REDACTED]

129. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

130. The person alleges that on 5 March 2003 three men that she describes as being MLC soldiers forced her into her house in [REDACTED] and raped her in turns. She further claims that she has been contaminated consequently with HIV.

131. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

132. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. In this regard, the Single Judge notes that the month of birth that appears on the application form does not

⁵⁵ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx18; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx19-Anx20.

⁵⁶ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx19; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx21-Anx22 and ICC-01/05-01/08-255-Conf-Exp-Anx10-Anx13.

coincide with the month of birth mentioned in the identity card attached to the application. However, the Single Judge notes that the applicant has clarified this discrepancy in the additional information submitted on 11 November 2008.⁵⁷ She has also submitted a birth certificate corroborating the information contained in her identity card. The Single Judge is of the view that the date of birth to be relied on is the one reflected in the identity documents provided by the applicant. Thus, the aforementioned discrepancy is not of such nature as to cast doubt on her identity. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

133. The person alleges that on 8 November 2002 men that she describes as being "*Banyamulengués*" soldiers of Mr. Jean-Pierre Bemba entered her family house in Bangui. She claims that they raped her mother in front of her and of her family and that they also raped her three sisters. She further declares that she was raped and that her brother, while trying to prevent the "*Banyamulengués*" from brutalizing his family, was shot to death. She also adds that two of her cousins, who were living with them, were shot to death. Moreover, she alleges that the aforementioned men pillaged their property and abducted her husband. In this respect, she claims that her husband's body has never been found and that he has been officially declared dead.

134. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003

⁵⁷ ICC-01/05-01/08-234-Conf-Exp-Anx22, p. 2 and ICC-01/05-01/08-255-Conf-Exp-Anx12.

which fall *inter alia* under articles 7(1)(a) and/or 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

135. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

136. The person alleges that on 14 November 2002 men that he describes as being “*Banyamulengués*” soldiers of the MLC beat his son while trying to pillage his property in Bangui. He adds that when they tried to prevent them from beating their son, he and his wife were in turn beaten. He further claims that some of the aforementioned men took his thirteen-year-old daughter and raped her. In addition, he declares that they pillaged his property.

137. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

⁵⁸ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx20; Additional Information in ICC-01/05-01/08-234-Conf-Exp-Anx23-Anx25 and ICC-01/05-01/08-255-Conf-Exp-Anx14.

- Application [REDACTED]

138. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

139. The person alleges that sometime in February 2003 men that she describes as being Mr Jean-Pierre Bemba's MLC soldiers entered her neighbourhood located few kilometres away from [REDACTED]. She claims that one of the aforementioned men that she also describes as "*Banyamulengués*" raped her in the field where she sought refuge. She also alleges that she consequently contracted HIV.

140. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

- Application [REDACTED]

141. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the

⁵⁹ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx21.

⁶⁰ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx22.

requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

142. The person alleges that sometime in February 2003 men that he describes as being “*Banyamulengués*” entered [REDACTED]. He claims that they entered his house and asked him for money. He further declares that when he answered that he did not have any money, they beat him and pillaged his house and property.

143. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which falls *inter alia* under article 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

144. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out above. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

145. The person alleges that sometime in February 2003 men that he describes as Mr Jean-Pierre Bemba’s MLC soldiers invaded the surroundings of [REDACTED]. He declares that he was taken hostage, beaten, tied up to a tree and forced to sit on

⁶¹ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx23.

██████████ He further claims that they forced him to reveal the location of his house and then pillaged his house and property.

146. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 8(2)(c)(ii) and/or 8(2)(e)(v) of the Statute.

▪ Application ██████████

147. Application ██████████ is submitted by a man of Central African nationality. The Single Judge notes that the harm alleged in the application was suffered by his daughter who is still a minor. The Single Judge further notes that the application is not only supported with proof of his identity but also with proof of the identity of his daughter along with proof of their kinship. Furthermore, the aforementioned proof fulfils the requirements set out in the decision. Accordingly, the Single Judge is of the view that application ██████████ is to be considered as submitted by the father on behalf of his daughter who is a minor. In this regard, the Single Judge is satisfied that the victim applicant (the daughter) is a natural person and that her identity has been duly established. In addition, the identity of her father, the person submitting the application on her behalf, and their kinship have also been duly established.

⁶² Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx24.

148. The person submitting the application alleges that sometime in February 2003 men that he describes as being Mr Jean-Pierre Bemba's MLC troops arrived in the surroundings of [REDACTED]. While hiding in the field with his wife, his nine-year-old daughter went to buy some supplies for the family. He declares that she was surprised in front of his house by four of the aforementioned soldiers and that one of them raped her. He adds that his daughter has been traumatised by this event.

149. The Single Judge is of the view that he has sufficient information to be satisfied that the minor has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

150. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

151. The person alleges that sometime in February 2003 men that he describes as being Mr Jean-Pierre Bemba's MLC troops arrived in the surroundings of [REDACTED]. While he was hiding in the field with his wife, his twelve-year-old

⁸³ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx25.

daughter went to buy some supplies for the family. He declares that she was surprised in front of his house by four of the aforementioned soldiers and that one of them raped her. He also claims that they pillaged some of his property.

152. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

153. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

154. The person alleges that on 27 October 2002 men that he describes as being Mr Jean-Pierre Bemba's MLC troops caught his wife and sister-in-law and raped them in Bangui. He declares that his wife consequently contracted HIV. He further claims that she in turn contaminated him with HIV and that she later died.

⁶⁴ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx26.

155. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

156. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

157. The person alleges that on 14 February 2003 men that she describes as being Mr Jean-Pierre Bemba's MLC troops invaded her property located few kilometres away from [REDACTED]. She claims that while hiding in their field with her partner and children, members of the aforementioned troops that she also describes as "*Banyamulengués*" pillaged their property. She further declares that one of them raped her resulting in her pregnancy. She also adds that she had abortion as her pregnancy was a source of tensions in her relationship.

158. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm including, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the

⁶⁵ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx27.

CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

159. Application [REDACTED] is submitted by a man of Central African nationality who supported his application with proof of his identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that his identity has been duly established.

160. The person alleges that on 1 November 2002, while having found refuge in a house in Bangui, two groups of men that he describes as being Congolese, members of the MLC, attacked successively the house in which he had found refuge. He declares that they requested money and threatened him and his family. He further adds that the aforementioned men undressed and beat his father in front of his spouses, children and other persons who also found refuge in this house. He further claims that they used him as a cook and severely beat him.

161. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or

⁶⁶ Application for participation, ICC-01.05-01/08-224-Conf-Exp-Anx28

about 26 October 2002 to 15 March 2003 which fall *inter alia* under article 7 8(2)(c)(ii) of the Statute.

▪ Application [REDACTED]

162. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

163. The person alleges that on 15 February 2003, while she and her husband were in Bangui, men that she describes as being “*Banyamulengués*” MLC troops entered her house in [REDACTED] where her children still were. She claims that they pillaged the family’s property and abducted her son. She further declares that her son was later killed when the aforementioned troops retreated from [REDACTED] but that his body has not been found.

164. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm including, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

⁶⁷ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx29.

▪ Application [REDACTED]

165. Application [REDACTED] is submitted by a woman of Central African nationality on behalf of her deceased father. In addition, the Single Judge infers from the application that the person submitting the application also makes such application on her own behalf. In the present case, the Single Judge notes that the person submitting the application has provided proof of her identity together with proof of her deceased father's identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the person submitting the application is a natural person and that her identity and kinship with the deceased family member have been duly established. In addition, the Single Judge is satisfied that the father of the person submitting the application was a natural person and that his identity has been duly established.

166. She alleges that on 14 February 2003, while the population of [REDACTED] was fleeing the fights, her father, because of his age, decided to stay in the family home. She claims that men that she describes as being "*Banyamulengués*" entered the family house in [REDACTED], killed her father and pillaged the family's property.

167. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

⁶⁸ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx30.

▪ Application [REDACTED]

168. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

169. The person alleges that sometime between 7 and 8 December 2002 men that she describes as being “Banyamulengués” troops of the MLC invaded her village located some kilometres away from [REDACTED] as well as her [REDACTED]. She claims that the aforementioned men shot at her husband and pillaged the family’s property.

170. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm including, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 8(2)(c)(i) and/or 8(2)(e)(v) of the Statute.

▪ Application [REDACTED]

171. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is

⁶⁹ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx31.

⁷⁰ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx32.

satisfied that the applicant is a natural person and that her identity has been duly established.

172. The person alleges that sometime between 30 October 2002 and 1 November 2002 men that she describes as being Mr Jean-Pierre Bemba's MLC troops entered her neighbourhood in Bangui. She claims that she and her sister-in-law hid in one of the bedrooms of her house when the aforementioned men, that she also describes as "*Banyamulengués*", broke into the house. She declares that four of the aforementioned men raped her in turn before pillaging the family's property.

173. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which falls *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/or 8(2)(e)(v) and/or 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

174. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

⁷¹ Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx33

175. The person alleges that from 25 to 27 January 2003, men that she describes as being Mr Jean-Pierre Bemba's MLC troops arrested her and her father, beat them and consecutively [REDACTED] them in [REDACTED]. She claims that the aforementioned men, that she also describes as "*Banyamulengués*", took them to one of [REDACTED] [REDACTED] where they raped her [REDACTED] [REDACTED] in front of her father. She further declares that she has consequently contracted HIV. In addition, she alleges that her father was later killed when the aforementioned men [REDACTED] him to [REDACTED]

176. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury, emotional suffering as well as economic loss as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(a) and/or 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/ 8(2)(e)(vi) of the Statute.

▪ Application [REDACTED]

177. Application [REDACTED] is submitted by a woman of Central African nationality who supported her application with proof of her identity which fulfils the requirements set out in the decision. Accordingly, the Single Judge is satisfied that the applicant is a natural person and that her identity has been duly established.

178. The person alleges that on 1 November 2002, men that she describes as being Mr Jean-Pierre Bemba's MLC troops broke into the house where she was

⁷² Application for participation, ICC-01/05-01/08-224-Conf-Exp-Anx34.

residing with her grand-mother in Bangui. She claims that three of the aforementioned men that she also describes as "*Banyamulengués*" raped her in turn.

179. The Single Judge is of the view that he has sufficient information to be satisfied that the person has suffered harm, including physical injury and emotional suffering, as a result of the crimes allegedly committed by the MLC in the CAR from on or about 26 October 2002 to 15 March 2003 which fall *inter alia* under articles 7(1)(f) and/or 7(1)(g) and/or 8(2)(c)(i) and/or 8(2)(c)(ii) and/ 8(2)(e)(vi) of the Statute.