

# ANNEX C

### **Group C: Boali, Bossembélé, Bossangoa, Bozoum**

- **Ninth transmission - ICC-01/05-01/08-1381-Conf-Exp-Anxs**

#### **Applicant** [REDACTED]

##### **Claim to victim status**

The applicant states that during the night of 24 November 2002, the MLC troops invaded [REDACTED] in [REDACTED] [REDACTED]. According to the applicant, at the time of the invasion, he was at home sleeping and he was woken up by heavy weapons. The applicant claims that when he went to see what was happening, he encountered MLC soldiers and three of them accused him of being a rebel and beat him up. The applicant alleges that he was asked to leave his house, which they then used as their base. According to the applicant, the MLC troops occupied the area from 25 November 2002 to 15 March 2003. The applicant claims that they pillaged his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical and material harm.<sup>2</sup>

##### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

---

<sup>1</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx1; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 599 to 600.

<sup>2</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx1, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 24 November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant is deceased and the application is introduced on her behalf by her brother.

It is stated that on 28 November 2002, three days after the invasion of [REDACTED] four soldiers from the DRC tried to rape the applicant. According to the person acting on behalf of the applicant, the applicant slapped one of the soldiers and he shot her in the chest. It is alleged that, because there was no hospital in the vicinity, the applicant died on [REDACTED] December 2002 from a hemorrhage. The person acting on behalf has appended a copy of the applicant's death certificate certifying that her death occurred on [REDACTED] December 2002. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm as a result of the death of his sister.<sup>4</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and her brother, who is acting on her behalf, as well as the kinship between them.

---

<sup>3</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx2; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 601 to 602.

<sup>4</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx2, pages 4 to 5, 10.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 November 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on that basis he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his sister by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 November 2002.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that between 25 November 2002 and 15 March 2003, [REDACTED] was under the control of Mr Bemba's rebel troops. According to the applicant, on 1 December 2002, he was on a hunting trip in the bush and while he was next to a river, he met people who informed him that [REDACTED] was in the hands of soldiers from a neighboring country. The applicant claims that he wanted to go and retrieve his belongings from his house, located in [REDACTED] but he learnt that the troops were already there; therefore, he decided to stay in the bush until their departure. The applicant claims that, upon his return, on an unspecified date between 1 December 2002 and 15 March 2003, he found that his belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>6</sup>

---

<sup>5</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx3; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 603 to 604.

<sup>6</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx3, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 December 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between the end of November 2002 and 15 March 2003, [REDACTED] was under the control of the Banyamulengués. According to the applicant, at the time of the invasion, he was on a religious sensibilisation trip in [REDACTED] [REDACTED]. The applicant states that his wife, who was at home with the children, fled from the area and sought refuge in the bush, taking some of their belongings with her. The applicant claims that upon their return, they found that their belongings and their livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>8</sup>

### **Analysis and conclusions**

---

<sup>7</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx4; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 605 to 606.

<sup>8</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx4, pages 4 to 5.

The Chamber notes that the applicant provides a *carte de demandeur d'emploi* as proof of identity. While mindful that such document is not included in the list of documents accepted by the Chamber, the Chamber considers that this document has similar features as the documents which have been explicitly approved by the Chamber, notably *cartes de commission d'emploi*, *cartes professionnelles*, *cartes d'étudiants* and *certificats de fréquentation scolaire*. Accordingly, the Chamber is satisfied that this documents provided sufficiently demonstrates the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 25 November 2002 the hostilities in [REDACTED] began. The applicant maintains that when he learnt about the invasion of the city by Mr Bemba's men, he was on a trip to [REDACTED]. According to the applicant, upon his return, he found that the soldiers had transformed his home, which was located in the [REDACTED] area, into their headquarters and he was unable to retrieve his belongings. The applicant claims that during the occupation, they pillaged his

---

<sup>9</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx6; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 609 to 610.

belongings and his livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>10</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that during the hostilities that took place in [REDACTED] between 25 November 2002 and 15 March 2003, he fled and left all his livestock and other important items behind, deciding not to return to his house, located in [REDACTED] before the departure of the Banyamulengués. According to the applicant, upon his return, he found that some of his belongings and his livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>12</sup>

### **Analysis and conclusions**

---

<sup>10</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx6, pages 4 to 5.

<sup>11</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx7; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 611 to 612.

<sup>12</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx7, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 3 January 2003, his village of [REDACTED] located on the road to [REDACTED] was invaded by the Banyamulengués. According to the applicant, he decided to flee from the area and to seek refuge away from the village. The applicant claims that upon his return, he found that his belongings and his livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>14</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

---

<sup>13</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx8; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 613 to 614.

<sup>14</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx8, pages 4 to 5.



accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 3 January 2003 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on the morning of 25 November 2002, when he was in the fields, he heard loud gunfire coming from his village, [REDACTED] The applicant claims that he wanted to go and investigate what was going on but he was advised to be careful and thus decided to stay in the fields. According to the applicant, a number of people stayed with him in his home in the fields and, upon his return to his home, he found that his belongings and his livestock had been pillaged during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>16</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

---

<sup>15</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx9; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 615 to 616.

<sup>16</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx9, pages 4 to 5.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 15 March 2003, after François Bozizé came to power, Mr Bemba's MLC troops fled in order to return to their country. According to the applicant, the troops committed pillage during their evasion. The applicant further states that while he was in the fields, they broke into his house, located in [REDACTED] kilometers away from [REDACTED] pillaged his belongings and killed his livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>18</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

<sup>17</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx10; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 617 to 618.

<sup>18</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx10, pages 4 to 5.

<sup>19</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx11; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 619 to 620.

The applicant states that between 25 November 2002 and 15 March 2003, Mr Bemba's rebel troops invaded and occupied [REDACTED] located [REDACTED] kilometers from [REDACTED]. According to the applicant, at that time, he was in the fields when he heard loud gunfire. Shortly after, his wife and children joined him, bringing along part of their belongings. The applicant states that his wife informed him of the events going on in their village and he was warned not to go back to the village. He further contends that upon their return, they found that their house had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>20</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that on 25 November 2002, Congolese troops invaded and occupied [REDACTED] where they established their base for a few months.

---

<sup>20</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx11, pages 4 to 5

<sup>21</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx12; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 621 to 622.

According to the applicant, after he heard rumors that the soldiers ate people, he fled to the bush together with his children. The applicant claims that upon their return, they found that their belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>22</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between 25 November 2002 and 15 March 2003, [REDACTED] was invaded and occupied by the Banyamulengués. According to the applicant, her house, located in [REDACTED] was invaded by the rebels and she was beaten up by four of the soldiers. The applicant claims that they drove her out of the house and pillaged her belongings. The applicant alleges that they also took a sum of money that had been given to her for safekeeping by one of her

---

<sup>22</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx12, pages 4 to 5.

<sup>23</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx13; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 623 to 624.

neighbors. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.<sup>24</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that on 25 November 2002, when the rebels from the DRC took control over [REDACTED] she fled to the bush where she stayed until the departure of the rebels. The applicant claims that upon her return, she found that some of her belongings had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>26</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>24</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx13, pages 4 to 5.

<sup>25</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx14; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 625 to 626.

<sup>26</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx14, pages 4 to 5.

The Chamber notes that, in his claim, the applicant does not make any explicit reference to Mr Bemba or the Banyamulengués, but claims that the “uncontrolled rebels who had come from the DRC” are responsible for the events. However, in light of the intrinsic coherence of the application as a whole and the reference to soldiers from the DRC, the Chamber is satisfied that the applicant is referring to the Banyamulengués of Jean-Pierre Bemba.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between 25 November 2002 and 15 March 2003, the Banyamulengués invaded and occupied the [REDACTED] area of [REDACTED]. According to the applicant, there was heavy gunfire and when he enquired where it was coming from, he realized that the soldiers who invaded the area did not speak Sango. The applicant claims that he had to flee from the area, hide in the bush and leave his belongings behind. The applicant claims that, upon his return, he found that his belongings had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>28</sup>

---

<sup>27</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx15; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 627 to 628.

<sup>28</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx15, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between the end of November 2002 to 15 March 2003, Mr Bemba's rebel troops invaded and occupied [REDACTED]. According to the applicant, at the time, she was in the fields and she left her children at home, for them to attend school. She clarifies that she had taken most of her belongings with her to the fields, but some items, such as kitchen utensils, were left in her house with her children. The applicant claims that, following the invasion, her children had to flee and join her in the fields, leaving these items behind. The applicant claims that, upon their return, they found that their belongings had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>30</sup>

---

<sup>29</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx16; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 629 to 630.

<sup>30</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx16, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that in the morning of 25 November 2002, the Banyamulengués invaded [REDACTED] and the population fled. The applicant claims that she took her children and they fled to the bush, where they stayed until the departure of the Banyamulengués. The applicant claims that upon their return, they found that their belongings had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>32</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>31</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx17; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 631 to 632.

<sup>32</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx17, pages 4 to 5.



The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between January 2003 and 15 March 2003, the Banyamulengués had control over [REDACTED] and they invaded her village, [REDACTED]. The applicant maintains that in the morning, when the soldiers in uniforms arrived in their village, they started firing in the air and people fled leaving their belongings behind. The applicant claims that, upon her return, she found that her belongings, a sum of money and her livestock had been pillaged. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>34</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the

---

<sup>33</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx18; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 633 to 634.

<sup>34</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx18, pages 4 to 5.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between January 2003 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that between the end of November 2002 and 15 March 2003, the Banyamulengués invaded and occupied the [REDACTED] area of [REDACTED]. According to the applicant, when she heard the gunfire and explosions, she fled from the area, leaving all her property behind. The applicant alleges that, during her absence, the Banyamulengués pillaged her belongings, including her pension book. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>36</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between January and 15 March 2003.

---

<sup>35</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx19; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 635 to 636.

<sup>36</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx19, pages 4 to 5.

**Applicant** [REDACTED]**Claim to victim status**

The applicant states that at the beginning of January 2003, the Congolese soldiers, who were based in [REDACTED] invaded the [REDACTED] village, where he was living. According to the applicant, the soldiers started firing in the air and one of the soldiers walked up to him, slapped him and ordered him to empty his pockets. The applicant alleges that when he noticed the tension in the area, he fled with his family to the bush, leaving all their belongings behind. The applicant claims that upon their return, they found that their belongings and their livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>38</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] at the beginning of January 2003.

**Applicant** [REDACTED]**Claim to victim status**

---

<sup>37</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx20; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 637 to 638.

<sup>38</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx20, pages 4 to 5.

<sup>39</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx21; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 639 to 640.

The applicant states that in the morning of 25 November 2002, she noticed the presence of soldiers from neighboring countries in [REDACTED]. When she heard that these men were cannibals, she fled to the bush. According to the applicant, these men immediately took over her home and occupied it. She further alleges that they pillaged and destroyed her belongings and then set her house on fire. The applicant lists her loss and she claims that the MLC soldiers of Jean-Pierre Bemba are responsible for the events. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>40</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 28 December 2002, upon the arrival of the Congolese troops of the MLC in [REDACTED] she fled from the area, together with her children. She contends that, during her absence, the MLC troops pillaged her

---

<sup>40</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx21, pages 4 to 5.

<sup>41</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx22; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 641 to 642.

house. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>42</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 28 December 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that on 25 December 2002, upon the arrival of the MLC soldiers in [REDACTED] she fled to the bush together with her children. She contends that, during her absence, the MLC soldiers, who were foreigners, destroyed her house, located in the [REDACTED] area, at [REDACTED] kilometers away from [REDACTED] and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>44</sup>

### **Analysis and conclusions**

---

<sup>42</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx22, pages 4 to 5.

<sup>43</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx23; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 643 to 644.

<sup>44</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx23, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area, located [REDACTED] kilometers away from [REDACTED] on an unspecified date between 25 December 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between 3 January and 15 March 2003, upon the arrival of the MLC troops in three military vehicles, in [REDACTED] he fled from [REDACTED] which neighbors [REDACTED]. He contends that, during his absence, the MLC soldiers, who were speaking Lingala, pillaged his livestock and belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>46</sup>

#### **Analysis and conclusions**

The Chamber notes a discrepancy of three years between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling

---

<sup>45</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx24; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 645 to 646.

<sup>46</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx24, pages 4 to 5.

in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 3 January and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 25 November 2002, in the morning, when the armed men of Mr Bemba arrived in [REDACTED] he was in the fields. His children who were going to school were at his house in the village. At eight o'clock, they came to the field and informed him about the situation in town. He contends that, during his absence, while he and his children were hiding in the fields, his house, located in the [REDACTED] area, was pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>48</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

---

<sup>47</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx25; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 647 to 648.

<sup>48</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx25, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that upon the arrival of Mr Bemba's men in [REDACTED] she fled from the area together with her children and only returned after the *coup* of 15 March 2003. She contends that, during her absence, Mr Bemba's men pillaged her house, located in the [REDACTED] area of [REDACTED]. The applicant states that the events took place between 25 November 2002 and 15 March 2003. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>50</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

<sup>49</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx26; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 649 to 650.

<sup>50</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx26, pages 4 to 5.



**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that upon the arrival of the Banyamulengués in [REDACTED] she fled from the [REDACTED] area, together with her husband, taking some of her most important belongings with them. The applicant lists the items which were pillaged. The applicant claims that the events occurred between the end of November 2002 and 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>52</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between the end of November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

---

<sup>51</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx27; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 651 to 652.

<sup>52</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx27, pages 4 to 5.

<sup>53</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx28; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 653 to 654.

The applicant states that on 25 November 2002, upon the arrival of the soldiers, who were foreign troops from a neighboring country, in the [REDACTED] area of [REDACTED] he fled from the area, together with his family. He contends that, during his absence, the Banyamulengués pillaged his livestock and belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>54</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between 25 November 2002 and 15 March 2003, upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] he fled to the fields. He contends that, during his absence, the Banyamulengués pillaged

---

<sup>54</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx28, pages 4 to 5.

<sup>55</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx29; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 655 to 656.

his belongings and his livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>56</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] she fled to the fields and stayed there until the end of the conflict. She contends that, during her absence, the Banyamulengués pillaged her belongings which she lists. The applicant states that the events took place between the end of November 2002 and 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>58</sup>

### **Analysis and conclusions**

---

<sup>56</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx29, pages 4 to 5.

<sup>57</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx30; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 657 to 658.

<sup>58</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx30, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between the end of November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his brother.

It is claimed that when Mr Bemba's men took control of [REDACTED] the person acting on behalf of the applicant took the latter to his farm, located next to the [REDACTED] shore, in order to hide him from Mr Bemba's men, given the serious illness of the applicant. It is further stated that Mr Bemba's men found the applicant and they beat and tortured him. It is alleged that the applicant died [REDACTED] days later as a consequence of internal bleedings and stomach swelling resulting from the torture. The person acting on behalf of the applicant appends the applicant's death certificate which certifies that the death occurred on [REDACTED] January 2003. As a result of the alleged events, the applicant claims to have suffered physical harm.<sup>60</sup>

#### **Analysis and conclusions**

<sup>59</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx31; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 659 to 660.

<sup>60</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx31, pages 4 to 5.

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and his brother, who is acting on his behalf, as well as the kinship between them.

The Chamber notes that the person acting on behalf of the applicant does not indicate a precise date of the event. However, as it is claimed that the applicant died [REDACTED] days after the alleged events and given that the death certificate establishes that the death occurred on [REDACTED] January 2003, the Chamber infers that the alleged events took place on approximately 30 December 2002.

The Chamber further notes that it is stated that the applicant was already ill prior to the beatings. However, given that it is also alleged that the applicant died as a consequence of internal bleeding and stomach swelling caused by the beatings the Chamber is satisfied that there is a causal link between the events and the applicant's death. Accordingly, the Chamber considers that sufficient evidence has been provided on behalf of the applicant to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or about 30 December 2002.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 2 January 2003, upon the arrival of the soldiers in the [REDACTED] village, and after hearing about the crimes previously committed in [REDACTED] he fled to the bush, leaving his belongings behind. He contends that,

---

<sup>61</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx32; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 661 to 662.

when he returned after 15 March 2003, he noted the loss of his belongings, his savings and his livestock, which he lists in the application. According to the applicant, the armed men of the MLC are responsible for the events. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>62</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 2 January and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between 25 November 2002 and 15 March 2003, while he was in his country house, Mr Bemba's men broke into his house in the city, located in the [REDACTED] area of [REDACTED] and pillaged his belongings. The applicant specifies that his most valuable belongings were in his country house and were not pillaged. He further states that his house in the city was damaged

---

<sup>62</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx32, pages 4 to 5.

<sup>63</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx33; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 663 to 664.

by gunshots. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>64</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that after the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] she was searched and slapped in the face by two soldiers, who threatened to kill her if she did not give them money. According to the applicant, after the death threats, she fled to the fields. She further contends that during her absence, all the items in the house, including her savings and construction material she had inherited after her husband's death, were pillaged. The applicant states that the events occurred between 25 November 2002 and

---

<sup>64</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx33, pages 4 to 5.

<sup>65</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx34; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 665 to 666.

mid March 2003. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>66</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and mid March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that in early January 2003, when the MLC soldiers, who were coming from the other side of the river and who were shooting in the air and killing domestic animals, arrived in [REDACTED] he fled to the bush. He contends that, during his absence, the MLC soldiers pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>68</sup>

### **Analysis and conclusions**

---

<sup>66</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx34, pages 4 to 5.

<sup>67</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx35; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 667 to 668.

<sup>68</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx35, pages 4 to 5.



The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that upon the arrival of the armed Banyamulengués in [REDACTED] he fled to the fields, together with his family. He contends that, during his absence, the Banyamulengués pillaged his belongings, his livestock and his personal savings. The applicant states that the events occurred between 25 November 2002 and 15 March 2003. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>70</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

---

<sup>69</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx36; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 669 to 670.

<sup>70</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx36, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his nephew.

It is stated that on 8 March 2003, the Banyamulengués pillaged the applicant's belongings, money and livestock from his house, located in [REDACTED]. The person acting on behalf of the applicant appends a document in which he lists and values the loss. As a result of the alleged events, it is claimed that the applicant suffered material harm.<sup>72</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and his nephew, who is acting on his behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

---

<sup>71</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx79; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 673 to 674.

<sup>72</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx79, pages 4 to 5, 10.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 8 March 2003, the Banyamulengués arrived in [REDACTED] and started shooting at people. He contends that when he was fleeing the area, carrying his younger sister, a bullet hit his sister in the back and himself in the shoulder. The applicant claims that he survived the injury but his sister died three days later. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.<sup>74</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish prima facie that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his mother.

---

<sup>73</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx80; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 675 to 676.

<sup>74</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx80, pages 4 to 5.

<sup>75</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx81; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 677 to 678.

It is stated that on 8 March 2003, when the applicant was returning from [REDACTED] to the [REDACTED] village, he encountered the Banyamulengués in [REDACTED]. It is claimed that the applicant was killed by a bullet. The person acting on behalf of the applicant appended a copy of the applicant's death certificate which states that the death occurred on 8 March 2003. As a result of the alleged events, it is claimed that the applicant suffered physical harm.<sup>76</sup> The person acting on behalf of the applicant further claims that she suffered psychological harm as a result of the murder of her son.

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and his mother, who is acting on his behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her son by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

<sup>76</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx81, pages 4 to 5, 9 to 10.

<sup>77</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx82; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 679 to 680.

**Claim to victim status**

The applicant is deceased and the application is introduced on her behalf by her brother.

It is stated that on 8 March 2003, upon the arrival of the Banyamulengués in [REDACTED] in the [REDACTED] district, the applicant fled to the bush, together with her two year old baby. It is said that, on her way to the bush, the applicant was intercepted by the Banyamulengués who shot at her, killing both her and the baby. The person acting on behalf of the applicant appends the applicant's death certificate which confirms that the death occurred on 8 March 2003. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.<sup>78</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and her brother, who is acting on her behalf. In addition, given that the death certificate of the applicant and the birth certificate of the person acting on behalf demonstrate that the alleged siblings have the same parents, the Chamber is satisfied that the kinship between them is sufficiently demonstrated.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis she has suffered personal harm as a result of crimes confirmed against the accused, namely her murder by the

---

<sup>78</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx82, pages 4 to 5, 9 to 10.

Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish prima facie that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his sister by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant is deceased and the application is introduced on her behalf by her father.

It is stated that on 8 March 2003, the Banyamulengués shot at the applicant and her brother. According to the person acting on behalf of the applicant, the applicant's brother was injured in the shoulder while he was carrying the applicant on his back. It is alleged that the applicant's brother survived but the applicant subsequently died because of her injuries. The death certificate appended to the application attests that the death occurred on 8 March 2003. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.<sup>80</sup>

**Analysis and conclusions**

---

<sup>79</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx83; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 681 to 682.

<sup>80</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx83, pages 4 to 5, 9 to 10.

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and her father, who is acting on her behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on that basis he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his daughter by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his brother.

It is stated that on 8 March 2003, upon the arrival of the Banyamulengués in [REDACTED] [REDACTED] the applicant was shot dead and his hunting rifle was pillaged. The person acting on behalf of the applicant appends a death certificate which confirms that the death of the applicant occurred on 8 March 2003. As a result of the alleged events, it is claimed that the applicant suffered physical and material

---

<sup>81</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx84; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 683 to 684.

harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.<sup>82</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and his brother, who is acting on his behalf.

The Chamber notes that the applicant's death certificate and the birth certificate of the person acting on behalf indicate that the alleged brothers do not have the same parents. However, the Chamber further notes that the death certificate indicate that the death was declared by the person acting on the applicant's behalf which, as such, attests a close relationship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis he has suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba as well as the pillage of his rifle in [REDACTED] on 8 March 2003. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on that basis he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his brother by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

---

<sup>82</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx84, pages 4 to 5, 9 to 10.

<sup>83</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx85; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 685 to 686.



### **Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his brother.

It is stated that on 8 March 2003, upon the arrival of the Banyamulengués in [REDACTED] the applicant tried to flee, but he was killed by a shot in the chest. The person acting on behalf of the applicant appends the applicant's death certificate which confirms that the death occurred on 8 March 2003. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.<sup>84</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and his brother, who is acting on his behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that on 8 March 2003, upon the arrival of Mr Bemba's men, whom he recognised due to their uniforms, in [REDACTED] he fled from the area

---

<sup>84</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx85, pages 4 to 5, 9 to 11.

<sup>85</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx86; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 687 to 688.

because he was afraid of the shootings. The applicant states that he was shot in the thigh and seriously injured. As a result of the alleged events, he claims to have suffered physical harm.<sup>86</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 8 March 2003 the Banyamulengués pillaged his personal belongings, his bar and livestock in [REDACTED]. He further states that the Banyamulengués forced his pregnant wife to cook for them and he was forced to pay a ransom to obtain her release. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>88</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of three years between the date of birth as appearing in the application form and on the birth certificate attached thereto.

<sup>86</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx86, pages 4 to 5.

<sup>87</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx87; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 689 to 670.

<sup>88</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx87, pages 4 to 5.

However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filing the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

#### Applicant [REDACTED]

#### **Claim to victim status**

The applicant states that on 8 March 2003, the Banyamulengués, whom he recognised because of their uniforms from the DRC, occupied [REDACTED]. He claims that they pillaged all his belongings and livestock until they left the area on 8 March 2003. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>90</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

---

<sup>89</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx88; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 691 to 692.

<sup>90</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx88, pages 4 to 5, 8.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that in the context of the events which took place on 8 March 2003, he lost his belongings and livestock in the [REDACTED] area of [REDACTED]. He alleges that the Banyamulengués from the DRC are responsible for the events. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>92</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant does not provide any information regarding the circumstances which caused the loss of his belongings. As a consequence, the Chamber can not infer from the application that the applicant was a victim of a crime confirmed and accordingly, the application for participation in the proceedings is rejected.

**Applicant** [REDACTED]

**Claim to victim status**

<sup>91</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx89; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 693 to 694.

<sup>92</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx89, pages 4 to 5, 8.

<sup>93</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx90; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 695 to 696.

The applicant states that in March 2003, the Banyamulengués, whom he recognized because they were wearing uniforms and speaking Lingala, occupied [REDACTED] [REDACTED] during two weeks. He states that they pillaged his belongings and livestock. He contends that upon the arrival of the national loyalist forces in [REDACTED] on 8 March 2003, the Banyamulengués left the village in direction of Bangui taking all they could in their vehicles. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>94</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 and 8 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 8 March 2003, the armed Banyamulengués, who were men of short height, killed some animals and destroyed various items belonging to an agricultural association, of which he claims to be the President,

---

<sup>94</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx90, pages 4 to 5, 9.

<sup>95</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx91; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 697 to 698.

and which is located in [REDACTED] The applicant lists the loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>96</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant alleges that the Banyamulengués killed the livestock and destroyed goods belonging to an agricultural association, which is presided by the applicant. In the absence of any document or information establishing the identity of the association and the legal standing of the applicant to act on its behalf, the application for participation in the proceedings is rejected. This conclusion can be revisited if further information to that effect is provided.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between February and 8 March 2003, Mr Bemba's men pillaged his belongings in [REDACTED] [REDACTED] and carried them away in military trucks. He contends that other belongings were burnt and his livestock was killed. The applicant further states that Mr Bemba's men took him and his family hostage and beat them. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>98</sup>

### **Analysis and conclusions**

---

<sup>96</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx91, pages 4 to 5, 8.

<sup>97</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx92; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 699 to 700.

<sup>98</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx92, pages 4 to 5, 8.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between February and 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that between February and 8 March 2003, Mr Bemba's men, who were speaking Lingala and who were based in the in school of [REDACTED] pillaged his shop, his belongings and his livestock. The applicant further states that Mr Bemba's men took him and his family hostage, beat them and only released them after they were paid a ransom. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>100</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

---

<sup>99</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx93; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 701 to 702.

<sup>100</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx93, pages 4 to 5, 8.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between February and 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 8 March 2003, upon the arrival of the Banyamulengués in [REDACTED] he fled from the area, as the Banyamulengués were shooting everywhere. He contends that before leaving, he stocked metal plates for construction purposes in his house and that during his absence, his house, located in the [REDACTED] area, was looted and his belongings and livestock were pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>102</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

---

<sup>101</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx94; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 703 to 704.

<sup>102</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx94, pages 4 to 5, 8.



**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 8 March 2003, while he was in the fields with his family, he heard gun shots from [REDACTED] and saw the local population fleeing from the town to the bush. According to the applicant, he decided not to go back to his house, located in the [REDACTED] area. He contends that, during his absence, the Banyamulengués pillaged his belongings and livestock. The applicant lists the loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>104</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that during the events of 8 March 2003 in [REDACTED] he was held hostage by the Banyamulengués. He further states that they pillaged

<sup>103</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx95; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 705 to 706.

<sup>104</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx95, pages 4 to 5, 9.

<sup>105</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx96; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 707 to 708.

his belongings, savings and personal documents. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>106</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 8 March 2003, she fled to the bush due to the gunshots she heard in [REDACTED]. She contends that, during her absence, she lost her belongings and livestock and she asserts that the Banyamulengués are responsible for these events. The applicant appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>108</sup>

### **Analysis and conclusions**

---

<sup>106</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx96, pages 4 to 5, 9.

<sup>107</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx97; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 709 to 710.

<sup>108</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx97, pages 4 to 5, 8.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that between February 2003 and 8 March 2003, the population of [REDACTED] suffered from significant material and financial loss as everything was pillaged. The applicant appends a document in which he lists his loss. He contends that the armed men of Mr Bemba are responsible for the events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>110</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

However, the Chamber notes that the account of the applicant is vague, inasmuch as he only refers to the harm suffered by the population of [REDACTED] in general, without providing any precise description of the harm suffered by the applicant himself. In this regard, the Chamber recalls the criteria

---

<sup>109</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx98; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 711 to 712.

<sup>110</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx98. pages 4 to 5, 8.

used by the Pre-Trial Chamber and endorsed by the Trial Chamber, according to which an applications, in order to be considered complete, needs to contain, *inter alia*, “a description of the harm suffered as a result of the commission of any crime within the jurisdiction of the Court”.<sup>111</sup> The Chamber is of the view that the present application does not fulfil this particular requirement and therefore, the application for participation in the proceedings is rejected.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 8 March 2003, the Banyamulengués of Mr Bemba pillaged his belongings and killed his livestock in [REDACTED]. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>113</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

---

<sup>111</sup> ICC-01/05-01/08-1017, paragraph 39; ICC-01/05-01/08-699, paragraph 35; ICC-01/05-01/08-320, paragraph 81.

<sup>112</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx99; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 713 to 714.

<sup>113</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx99, pages 4 to 5, 8.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that during the events of 2003, he was intercepted by the Banyamulengués of Mr Bemba, who had their base in [REDACTED] and they pillaged all his merchandise. He further states that on the date of their departure from [REDACTED] on 8 March 2003, the Banyamulengués pillaged his belongings and his livestock from his house. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>115</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant claims that Mr Bemba's Banyamulengués occupied his hostel and used it as their dormitory. He further claims that the day of their departure from [REDACTED] he found that they had pillaged all his belongings. According to the

<sup>114</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx100; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 715 to 716.

<sup>115</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx100, pages 4 to 5, 8.

<sup>116</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx101; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 717 to 718.

applicant, the events occurred on 8 March 2003. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>117</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 8 March 2003, the Banyamulengués of Mr Bemba burnt down his house located in [REDACTED] causing the loss of all his belongings. He further claims that they killed and took away his livestock. He contends that during the alleged incidents, he fled from the area, together with his family. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.<sup>119</sup>

### **Analysis and conclusions**

---

<sup>117</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx101, pages 4 to 5, 9.

<sup>118</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx102; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 719 to 720.

<sup>119</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx102, pages 4 to 5, 9.

The Chamber notes a discrepancy between the place of birth as appearing in the application form and on the *carte nationale d'identité* attached thereto. However, given that the remainder of the information provided in the *carte nationale d'identité* is consistent with the data entered in the application form, the Chamber is of the view that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 8 March 2003, the Banyamulengués of Mr Bemba broke into his house, located in the [REDACTED] area of [REDACTED] and pillaged his belongings. He contends that during the events, he was held hostage, together with his family. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>121</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>120</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx103; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 721 to 722.

<sup>121</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx103, pages 4 to 5, 9.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that on 8 March 2003, the Banyamulengués pillaged her livestock and belongings from her house located in [REDACTED]. The applicant appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>123</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

**Applicant** [REDACTED]

---

<sup>122</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx104; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 723 to 724.

<sup>123</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx104, pages 4 to 5, 8.

<sup>124</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx105; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 725 to 726.



### **Claim to victim status**

The applicant claims that on 8 March 2003, the Banyamulengués attacked [REDACTED]. The applicant alleges that the assailants entered his bar and his domicile and pillaged his personal belongings, livestock and merchandise. He further states that he was held hostage. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>125</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant claims that on 8 March 2003, around 12h00, some heavy shooting was heard in [REDACTED]. He claims that a shell fell on his house and destroyed everything, including all his belongings. The claimant appends a document in

---

<sup>125</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx105, pages 4 to 5, 8.

<sup>126</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx106; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 727 to 728.

which he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>127</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the claimant suffered personal harm as a result of conduct which is not related to the crimes confirmed against the accused, namely the shelling of his house, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003. Therefore, his application is rejected.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant claims that between 7 and 8 March 2003, his house located in [REDACTED] was the target of heavy shooting and shelling. He claims that the Banyamulengués, who had their base close to his house, were responsible for these acts. The claimant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>129</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>127</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx106, pages 4 to 5, 8.

<sup>128</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx107; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 729 to 730.

<sup>129</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx107, pages 4 to 5, 8.

The Chamber notes that the claimant suffered personal harm as a result of a conduct which is not related to the crimes confirmed against the accused, namely the shelling and shooting of his house, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 7 and 8 March 2003. Therefore, his application is rejected.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant claims that between 6 and 8 March 2003, Mr Bemba troops drove her as well as her children out of their house, located in [REDACTED]. The applicant alleges that the assailants took advantage of the situation and pillaged all her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>131</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 6 and 8 March 2003.

---

<sup>130</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx108; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 731 to 732.

<sup>131</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx108, pages 4 to 5, 8.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant claims that the Banyamulengués stayed in the [REDACTED] area of [REDACTED] for more than one week, up to their departure on 8 March 2003. He further states that during this occupation, the Banyamulengués pillaged all his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>133</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] during the week preceding 8 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant claims that on 8 March 2003 the Banyamulengués pillaged his house, located in [REDACTED] taking away all his belongings. The applicant lists

---

<sup>132</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx109; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 733 to 734.

<sup>133</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx109, pages 4 to 5, 8.

<sup>134</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx110; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 735 to 736.

his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>135</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 19 February 2003, Mr Bemba's rebels, who were speaking Lingala, came to his house, located in the [REDACTED] area of [REDACTED], and pillaged his belongings as well as the property of the church which he was keeping at his place. The applicant lists the items which were pillaged from the church and claims compensation on behalf of his church. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>137</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that the applicant filled out an application

<sup>135</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx110, pages 4 to 5, 8.

<sup>136</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx166; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 423 to 424.

<sup>137</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx166, pages 9 to 11.

form for natural persons while he only lists the items pillaged from the church and claims compensation on behalf of the church. Accordingly, the application needs to be assessed under Rule 85(b) of the Rules. In the absence of any document or information establishing the identity of the church and the legal standing of the applicant to act on its behalf, the application for participation in the proceedings is rejected. This conclusion can be revisited if further information to that effect is provided.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 19 February 2003, while she was fleeing together with her children, she decided to return to their house, located in [REDACTED] in order to collect some of her belongings. According to the applicant, she was intercepted by the Banyamulengués who forced her to have sexual intercourse with them. When she refused, she was brutalized and raped by four men. The applicant alleges that they also pillaged her belongings and livestock and used her son to carry the items out of her house. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.<sup>139</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>138</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx167; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 425 to 426.

<sup>139</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx167, pages 9 to 11.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 18 February 2003, the Banyamulengués went to her home in the [REDACTED] area of [REDACTED] and they pillaged her house and her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>141</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 18 February 2003.

**Applicant** [REDACTED]

---

<sup>140</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx168; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 427 to 428.

<sup>141</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx168, pages 9 to 11.

<sup>142</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx169; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 429 to 430.

### **Claim to victim status**

The applicant states that on 19 February 2003, while she was fleeing from [REDACTED] she was apprehended by the Banyamulengués who brutalized her and raped her. The applicant claims that when she subsequently returned to her house, she found that her belongings and her livestock had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.<sup>143</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 February 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

The applicant states that in February 2003, she was assaulted and raped by Mr Bemba's rebels near the river [REDACTED] along the road to [REDACTED]. The applicant claims that the Banyamulengués of Jean-Pierre Bemba also pillaged her house, located in the [REDACTED] area. The applicant lists her loss. As a result of the alleged

<sup>143</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx169, pages 9 to 11.

<sup>144</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx170; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 431 to 432.



events, the applicant claims to have suffered physical, psychological and material harm.<sup>145</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on the road to [REDACTED] and in [REDACTED] on an unspecified date in February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 19 February 2003, when she was returning from the fields, she was brutalized and raped by the Banyamulengués. The applicant claims that she was infected with the HIV virus as a result of the rape. The applicant further alleges that the belongings from her four houses in [REDACTED] were pillaged and the houses were burned. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.<sup>147</sup>

### **Analysis and conclusions**

---

<sup>145</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx170, pages 9 to 11.

<sup>146</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx171; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 433 to 434.

<sup>147</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx171, pages 9 to 11.

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 19 February 2003, when Mr Bemba's militia invaded the Central African Republic, they brutalized and raped both her and her mother, pillaged their belongings and burned their house. The applicant claims that the events took place around the area of [REDACTED] and [REDACTED]. She lists her loss and claims that she has contracted HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.<sup>149</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the

<sup>148</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx172; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 435 to 436.

<sup>149</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx172, pages 9 to 11.

Banyamulengués of Jean-Pierre Bemba in [REDACTED] in the area of [REDACTED] and [REDACTED] on 19 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that between 25 October 2002 and 15 March 2003, during the attack of [REDACTED] by the rebel troops of Mr Bemba, the local population fled from the area and the rebels committed pillage and burnt people's houses. The applicant alleges that his house and his belongings were burnt down by the Banyamulengués. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>151</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant states that the Banyamulengués burnt his house. In this regard, the Chamber recalls that it has already ruled that in case of destruction of property by fire, when there is no indication that the property was looted before being destroyed, applications for participation will be rejected.<sup>152</sup> In the present case, the applicant only refers to the burning of his house and therefore the application for participation in the proceedings is rejected.

---

<sup>150</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx180; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 439 to 440.

<sup>151</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx180, pages 9 to 13, 20.

<sup>152</sup> ICC-01/05-01/08-1017, paragraph 56.

**Applicant** [REDACTED]**Claim to victim status**

The applicant states that on 25 October 2002, when Mr Bemba's rebel troops took control over [REDACTED] the local population was obliged to flee the area and only returned on 15 March 2003. The applicant claims that during their absence, the Banyamulengués pillaged her house, located in the [REDACTED] area, including all her personal belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>154</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

**Applicant** [REDACTED]**Claim to victim status**

The applicant states that between 25 October 2002 and 15 March 2003, the Banyamulengués invaded and occupied [REDACTED] for a period of five months.

<sup>153</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx181; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 441 to 442.

<sup>154</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx181, pages 9 to 11, 22.

<sup>155</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx183; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 443 to 444.

The applicant claims that upon their arrival, the population fled from the area. He further alleges that as he witnessed cannibalism, he was afraid to go back to the village and collect his belongings. The applicant states that his house and belongings were pillaged during his absence. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>156</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that between 25 October 2002 and 15 March 2003, Mr Bemba's troops invaded and occupied [REDACTED] for a period of five months. According to the applicant, upon their arrival, the local population including himself were obliged to flee from the area and hide in the bush. The applicant alleges that the Banyamulengués committed acts of violence, including killings,

---

<sup>156</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx183, pages 9 to 13, 20.

<sup>157</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx184; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 445 to 446.

rapes and pillage. He further alleges that they used his house as their headquarters, damaged the house and pillaged his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>158</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that between 25 October 2002 and 15 March 2003, the Banyamulengués invaded and occupied [REDACTED] for a period of five months. According to the applicant, they fled from their home, located in [REDACTED] and stayed in the bush for approximately six months. The applicant alleges that during their absence, the Banyamulengués broke the door to their house and pillaged their belongings and livestock. The applicant lists the loss. As a result of

---

<sup>158</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx184, pages 9 to 13, 20.

<sup>159</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx185; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 447 to 448.

the alleged events, the applicant claims to have suffered psychological and material harm.<sup>160</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that between 25 October 2002 and 15 March 2003, Congolese soldiers occupied [REDACTED]. The applicant maintains that during this time, the soldiers destroyed his straw house, using it as firewood, and pillaged his belongings, his livestock and a sum of money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>162</sup>

### **Analysis and conclusions**

---

<sup>160</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx185, pages 9 to 14, 20.

<sup>161</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx186; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 449 to 450.

<sup>162</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx186, pages 9 to 13, 20.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 25 October 2002, the Congolese soldiers of Jean-Pierre Bemba took control of [REDACTED] and only left the city on 15 March 2003. He contends that on the first day, he fled to the bush, abandoning his house, which is located in [REDACTED]. He states that during his absence, the soldiers of Jean-Pierre Bemba pillaged his belongings, including a sum of money. He further contends that he was tortured by the soldiers. The applicant lists his loss. As a result of the alleged events, he claims to have suffered psychological and material harm.<sup>164</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>163</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx187; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 451 to 452.

<sup>164</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx187, pages 9 to 13, 20.



The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant, who is a priest of a church, alleges that between 25 October 2002 and 15 March 2003, the Banyamulengués invaded and occupied [REDACTED] for a period of five months. According to the applicant, during this period the local population fled from the area and abandoned their property. The applicant maintains that during this period, the rebels occupied, pillaged and destroyed the church. The applicant alleges that his house and his personal belongings were also pillaged during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>165</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that the applicant refers to the pillage of both the church and his personal belongings, indicating that he intends to act both on behalf on the church and on his own behalf. However, in the absence of any document or information establishing the identity of the church and the legal

---

<sup>165</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx188; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 453 to 454.

<sup>166</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx188, pages 9 to 13, 20.

standing of the applicant to act on its behalf, the application on behalf of the church under Rule 85(b) is rejected and only the pillage of the applicant's personal belongings will be considered for the purpose of the present assessment. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, with the exception of the belongings of the church, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that between 25 October 2002 and 15 March 2003, [REDACTED] was invaded and occupied by the Banyamulengués. The applicant alleges that upon their arrival, he fled from the area and, during his absence, the Banyamulengués pillaged some of his belongings from his house, located in the [REDACTED] area. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>168</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

---

<sup>167</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx189; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 455-456.

<sup>168</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx189, pages 9 to 13, 20.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 14 March 2003, while returning from [REDACTED] in the DRC and upon his arrival at [REDACTED] he was intercepted by the Banyamulengués. He alleges that they seized the boat in which he was travelling and looted all his merchandise. He claims that they also raped all the women and girls on the boat. He further states that the boat and all its merchandise were diverted towards [REDACTED] in the DRC. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>170</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 March 2003.

---

<sup>169</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx223; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 457 to 458.

<sup>170</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx223, pages 9 to 13.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 16 February 2003, the Banyamulengués arrived in the [REDACTED] area of [REDACTED]. He alleges that he and the population of his village fled to the bush and stayed there for two days. He claims that the Banyamulengués pillaged his house and livestock during his absence. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>172</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 16 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 16 February 2003, the Banyamulengués invaded the [REDACTED] area of [REDACTED] while firing shots in the air and as such, the local population

<sup>171</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx231; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 459 to 460.

<sup>172</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx231, pages 9 to 13.

<sup>173</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx233; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 461 to 462.

fled. He alleges that the Banyamulengués broke into his house, shop and pharmacy and then, they pillaged his merchandise and personal belongings during his absence. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>174</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 16 February 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that between the end of October 2002 and 15 March 2003, upon the arrival in [REDACTED] of the Banyamulengués, who were coming from the DRC, speaking Lingala and claiming to be Jean-Pierre Bemba's men, he fled to the bush. He contends that, during his absence, the Banyamulengués broke into his house, located in the [REDACTED] area and pillaged his belongings and ate his livestock. He further states that the Banyamulengués established their base in

---

<sup>174</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx233, pages 9 to 13.

<sup>175</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx242; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 465 to 466.

the area. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>176</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between the end of October 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant organisation is a church, the [REDACTED]  
[REDACTED] The application has been submitted by [REDACTED]  
[REDACTED] who is also the [REDACTED] of the church.

It is stated that on an unspecified date, prior to the *sursaut patriotique* of Mr Bozizé, men who came from the DRC and who spoke neither Sango nor French invaded [REDACTED] and occupied it for a period of five months. It is claimed that they came to the church, which is located in the [REDACTED] area, and took the organisation's doors and furniture, in order to use them as firewood. It is also claimed that they took all the money that was in the safe. The person submitting

---

<sup>176</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx242, pages 9 to 13.

<sup>177</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx243; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 467 to 468.

the application on behalf of the organisation accuses Mr Bemba to be responsible for the events. As a result of the alleged events, it is claimed that the applicant organisation has suffered material harm.<sup>178</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the person acting on behalf of the organisation as well as his *locus standi* to act on its behalf.

The Chamber notes that the person who submitted the application does not indicate a precise date of the events. However, in light of the intrinsic coherence of the application in all other respects, notably the fact that he refers to the five months occupation preceding the *sursault patriotique* mentioned by a number of other applicants, as well as the fact that person acting on behalf of the organisation claims in his own application that the events occurred between 25 October 2002 and 15 March 2003, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the application.

Having examined the application as a whole, the Chamber is satisfied that the organisation and its belongings fall under the scope of Rule 85(b) of the Rules and that sufficient evidence has been provided to establish *prima facie* that it is a victim under Rule 85(b), on the basis that it suffered direct harm as a result of crimes confirmed against the accused, namely the pillage of its property by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

### **Applicant** [REDACTED]

---

<sup>178</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx243, pages 7 to 8.

<sup>179</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx246; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 469 to 470.

**Claim to victim status**

The applicant states that acts of pillage, violence and destruction of houses started after the clashes between the Banyamulengués and Mr Bozizé's rebels. She alleges that on 13 February 2003, when the population had fled, the Banyamulengués pillaged the houses in all areas. She claims that her house located in the [REDACTED] area of [REDACTED] was pillaged and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>180</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 13 February 2003.

**Applicant** [REDACTED]**Claim to victim status**

The applicant states that the Banyamulengués were the first assailants who strengthened the Sarawi. She further states that the Banyamulengués and the rebels of Mr Bozizé carried out attacks. She claims that the Banyamulengués

---

<sup>180</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx246, pages 9 to 13.

<sup>181</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx247; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 471 to 472.



attacked [REDACTED] and killed her son at the level of the central market. She appends a Court statement establishing that her son was shot by the Banyamulengués on 13 February 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>182</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy between the age of the applicant as indicated in the application form and the dates of birth appearing on the identity documents. However, given that the remainder of the information provided is consistent with the data entered in the application form, the Chamber is satisfied that the documents provided sufficiently demonstrate the identity of the applicant, as well as that of her son and the kinship between them.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her son and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 20 February 2003, the Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] and threatened him with their guns. He claims that he fled to the bush and that they pillaged his belongings and then burnt his house. The applicant specifies that he received this information from

<sup>182</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx247, pages 9 to 13 and 18 to 21.

<sup>183</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx252; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 473 to 474.

the children of the area who were used by the Banyamulengués as carriers. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>184</sup>

### **Analysis and conclusions**

The Chamber notes that the date of birth as appearing on the application form does not correspond to the day the applicant was born but to the day the birth was declared. The Chamber considers that this discrepancy might be the result of inadvertent error in filling in the form and therefore the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 20 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 20 February 2003, when the Banyamulengués invaded the [REDACTED] area of [REDACTED] she hid her belongings and fled to the bush. She alleges that during their absence, the Banyamulengués pillaged her belongings and burnt her house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>186</sup>

---

<sup>184</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx252, pages 9 to 11 and 20.

<sup>185</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx253; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 475 to 476.

<sup>186</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx253, pages 9 to 13.

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 20 February 2003.

### **Applicant [REDACTED]**

#### **Claim to victim status**

The applicant states that on an unspecified date in November 2002, when she was fleeing to Bangui with her sister-in-law, her nephew and her baby in a vehicle, they were intercepted by the Banyamulengués at the exit of [REDACTED]. According to the applicant, the Banyamulengués intentionally crashed their vehicle into hers, and subsequently fired on the wheels of the car. The applicant claims that due to the crash, the luggage fell on her seven-month old daughter and chapped her head, resulting in her death. The applicant also claims that she was seriously injured and fell into a coma and lost all her belongings. The applicant further claims that her house was pillaged which is why she lost the relevant medical documents. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.<sup>188</sup>

### **Analysis and conclusions**

<sup>187</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx264; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 477 to 478.

<sup>188</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx264, pages 9 to 11.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

In the absence of any document establishing the identity of and kinship with her alleged daughter, the circumstances leading to her daughter's death will not be considered for the purpose of the present assessment.

In the absence of any information regarding the circumstances of the pillage of her house and the loss of her personal goods, the application for participation in the preceding is rejected.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that in January 2003, when they learnt about the arrival of the Banyamulengués in [REDACTED] she and her mother decided to flee, leaving behind their house located in [REDACTED]. According to the applicant, on the way to [REDACTED] they heard that the Banyamulengués were already in that area so they decided to go to Bangui. The applicant claims that, upon their return, they found that their belongings and their livestock had been pillaged during their absence. The applicant alleges that as a result of these events, her mother developed heart problems and they decided not to return to live in the area. She further states that they took two men hostage and forced them to transport the looted goods. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>190</sup>

#### **Analysis and conclusions**

---

<sup>189</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx268; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 479 to 480.

<sup>190</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx268, pages 9 to 11 and 21 to 25.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in January 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that in November 2002, upon the arrival of the Banyamulengués in [REDACTED] he fled from his house, located in the [REDACTED] area. He states that, at the time of the events, he had just returned from a business trip to Bangui, from where he purchased merchandise for his shop, located in the [REDACTED] area. The applicant alleges that, during his absence, the Banyamulengués pillaged his shop and the merchandise, as well as his livestock and his belongings. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>192</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

---

<sup>191</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx299; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 481 to 482.

<sup>192</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx299, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date in November 2002.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 14 February 2003, the Banyamulengués arrived in the camp of [REDACTED] located [REDACTED] kilometers away from [REDACTED]. He contends that they raped two girls and a woman, pillaged goods and killed animals and men. He further states that the Banyamulengués pillaged his personal belongings, his savings, and part of his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>194</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in camp [REDACTED] on 14 February 2003.

---

<sup>193</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx300; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 483 to 484.

<sup>194</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx300, pages 9 to 10.

**Applicant** [REDACTED]**Claim to victim status**

The applicant claims that on Friday, 14 February 2003, at approximately 14h00, eight Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED]. She states that they first fired four shots in the air from “Kala” weapons and then they were rummaging inside and outside the house and they pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>196</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 February 2003.

**Applicant** [REDACTED]**Claim to victim status**

The applicant claims that on 13 February 2003, around 16h00, a group of six armed Banyamulengués broke into the house belonging to herself and her husband, located in the [REDACTED] area of [REDACTED]. She states that they were

<sup>195</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx301; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 485 to 486.

<sup>196</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx301, pages 9 to 11.

<sup>197</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx302; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 487 to 488.

wearing kaki-dark blue army uniforms and they had “Kala” guns. The applicant claims that they threatened her and asked her for money, and when she answered that she did not have any, one of them kicked her in the back and she fell down the floor. Then, she states that they pillaged her belongings, which she lists and values, and shot the domestic animals. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>198</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of 2 years and 3 days between the date of birth as appearing in the application form and on the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 15 February 2003, around 9h00, the Banyamulengués arrived in [REDACTED] located [REDACTED] kilometres away from [REDACTED]

---

<sup>198</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx302, pages 9 to 11.

<sup>199</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx303; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 489 to 490.



where the [REDACTED] where she was living was located. The applicant claims that they burned down their house and shot on their livestock. She further claims that they tortured and shot her brother, who died one month after the attack. The applicant appends a document in which she lists and values the items she lost. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>200</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of her brother and the kinship between them, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 24 February 2003, upon the arrival of the Banyamulengués in the [REDACTED] area, located [REDACTED] kilometres away from [REDACTED] [REDACTED] he fled the area. He contends that when he returned to his house in March, he noticed that his belongings and livestock, which he lists in his

---

<sup>200</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx303, pages 9 to 11, 18.

<sup>201</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx304; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 491 to 492.

application, have been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>202</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 24 February 2003 and March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that in January 2003, upon the arrival of the Banyamulengués in [REDACTED] he fled from the area, leaving his children, his wife and his belongings behind. He contends that, when he returned to his house looking for his children, he was held hostage by the Banyamulengués. He further claims that they had destroyed his belongings and pillaged his money and his suitcase. They further shot his pigs and forced him to transport them to the Banyamulengués' base. He further states that they raped his 16 year old

---

<sup>202</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx304, pages 4 to 5.

<sup>203</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx305; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 493 to 494.

daughter. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>204</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in January 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 24 February 2002, upon the arrival of the Banyamulengués in [REDACTED] they took her to their base, where they mistreated her and forced her to cook for them. She further states that after she was liberated, the Banyamulengués went to her house, located in the [REDACTED] area of [REDACTED] and destroyed her house and pillaged her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>206</sup>

---

<sup>204</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx305, pages 4 to 5.

<sup>205</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx306; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 495 to 496.

<sup>206</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx306, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the date of the alleged events provided by the applicant (24 February 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that the intrinsic coherence of the application in all other respects and the similarity of the claim with other applications suggest that the applicant intended to refer to 24 February 2003. In these circumstances, such inaccuracy as to the exact date of the events should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 24 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant is deceased and the application is introduced on his behalf by his brother.

It is stated that on 14 February 2003 the Banyamulengués arrived in [REDACTED] in order to pillage. Then, it is claimed that they arrived at the cattle farmers' camp at [REDACTED] located at [REDACTED] kilometres away from the base of the Banyamulengués. It is further stated that, over there, they shot at the applicant and at the applicant's

---

<sup>207</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx307; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 497 to 498.

wife. A death certificate appended to the application certifies that the death occurred on ■■■ February 2003. It is further alleged that the Banyamulengués shot the applicant's cattle and burned his house down. The loss is listed. As a result of the alleged events, it is claimed that the applicant has suffered physical and material harm. In addition, as a result of the alleged events, the person acting on behalf of the applicant claims to have suffered psychological harm.<sup>208</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identities of both the applicant and his brother, who is acting on his behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in ■■■ on ■■■ February 2003. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his brother by the Banyamulengués of Jean-Pierre Bemba in ■■■ on ■■■ February 2003.

### **Applicant** ■■■

### **Claim to victim status**

---

<sup>208</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx307, pages 9 to 11.

<sup>209</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx325; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 499 to 500.

The applicant alleges that on 05 January 2003, the Banyamulengués invaded [REDACTED] located at [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] and the population was forced to flee the area. The applicant alleges that after he made sure that his family was safe, he went back to his house to take his money, which was hidden in the bed post, as well as a radio transistor. He further states that while he was in the bedroom, he heard soldiers speaking Lingala outside his house. Therefore, he locked himself up in his house. The applicant claims that two of the soldiers forced their way into his house and, when they found him, they ordered him to get out of the house and they threatened to kill him. He states that they took the money and the radio transistor and flogged him before he joined his family in the bush. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>210</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 05 January 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

---

<sup>210</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx325, pages 4 to 5, 8.

<sup>211</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx326; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 501 to 502.

The applicant alleges that when the Banyamulengués took control over [REDACTED] he and his family were forced to flee from their house, located in [REDACTED]. The applicant alleges that, during their absence, the Banyamulengués occupied their house and pillaged their belongings and their livestock. He further alleges that they loaded a vehicle with the belongings. The applicant appends a document in which he lists and values his loss. According to the applicant, the events took place between 25 November 2002, when the Banyamulengués took control over [REDACTED] and 15 March 2003, when they left. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>212</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

---

<sup>212</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx326, pages 4 to 5, 8.

<sup>213</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx327; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 503 to 504.

The applicant alleges that between November 2002 and March 2003, the Banyamulengués occupied [REDACTED] where they established their military base. According to the applicant, throughout this period, they committed, *inter alia*, pillage, destruction of property, rapes and murder. The applicant states that he was living in the [REDACTED] village, located at [REDACTED] kilometres from [REDACTED] and that all his belongings and his livestock were pillaged. The applicant appends a document in which he lists and values his loss. The applicant also appends a copy of a newspaper article covering the events, a *Déclaration de Préjudices* made by the local police, his weapon permit, a commercial receipt and copies of photos of his house. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>214</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] village on an unspecified date between November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

---

<sup>214</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx327, pages 4 to 5, 8 to 25.

<sup>215</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx328; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 505 to 506.



The applicant alleges that in January 2003, Mr Bemba's rebel troops left [REDACTED] and set up their base in the village of [REDACTED] located at [REDACTED] kilometres from [REDACTED] and in the road to [REDACTED]. The applicant maintains that when they arrived in [REDACTED] he had left to the fields in order to go hunting. He was followed by his family who told him about the occupation and he stayed in the fields. The applicant claims that when he returned to his house, after the troops' departure on 15 March 2003, he noticed that he lost his livestock, three armchairs and a foam mattress. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>216</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on an unspecified date between January and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that during the first week of January 2003, while she was in the bush, she heard that the assailants who were based in [REDACTED] had

---

<sup>216</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx328, pages 4 to 5.

<sup>217</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx329; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 507 to 508.

arrived in [REDACTED] The applicant claims that she heard loud gunfire in the village and she was subsequently informed by her children that the Zaireans had taken control of the village. The applicant claims that, in this context, they pillaged her house and took her belongings and livestock. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>218</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings and livestock by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on an unspecified date in the first week of January 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that on 4 January 2003, armed men from the DRC took control over the village of [REDACTED] located at [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] According to the applicant, when the rebels came to his house he was ill. He further states that they hit him and took a sum of money. The claimant states that they then asked him to leave the house. The applicant

---

<sup>218</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx329, pages 4 to 5.

<sup>219</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx330; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 509 to 510.

maintains that he fled to the bush. He further claims that they ate his goats, used his bed as firewood and his mattress as slaughter table. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>220</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on 4 January 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that when the village of [REDACTED] situated [REDACTED] kilometres away from [REDACTED] was invaded by the Banyamulengés, he was in the fields together with his family. He also states that most of their belongings were at the fields with them and were pillaged by the Banyamulengués. The applicant further claims that his house, located in the village, was also pillaged. The applicant lists and values his loss. The applicant asserts that the events occurred between the first week of January and March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>222</sup>

---

<sup>220</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx330, pages 4 to 5.

<sup>221</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx331; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 511 to 512.

<sup>222</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx331, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on an unspecified date between 1 January and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant alleges that between the beginning of January and March 2003, [REDACTED] was under the control of foreign troops, the MLC rebels of Mr Bemba, and that they also invaded his village, [REDACTED]. The applicant maintains that at the time, he was not at home, but when he learnt about the invasion of [REDACTED] he returned to the village in order to join his family at his house in the fields. The applicant alleges that the foreign troops also went to the fields in order to find money. As a consequence, they had to move further into the bush, where they stayed until 16 March 2003. The applicant claims that, when he came back, he found that his belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>224</sup>

---

<sup>223</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx332; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 513 to 514.

<sup>224</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx332, pages 4 to 5.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant alleges that during the first week of January 2003, the Banyamulengués, based at [REDACTED] [REDACTED] invaded his village, [REDACTED] during the morning. He further states that they started firing in the air to drive out the local population and to establish their base in the village. The applicant maintains that he fled with his family to the bush, where they stayed until 15 March 2003. The applicant states that upon their return, they found that their belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>226</sup>

### **Analysis and conclusions**

---

<sup>225</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx333; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 515 to 516.

<sup>226</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx333, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between the first week of January 2003 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that on 25 November 2002, the [REDACTED] area of [REDACTED] was invaded by some assailants who were shooting in the air with some heavy weapons and Kalashnikovs. He states that the civilians did not know if the assailants came from Rwanda or from Congo. According to the applicant, because he was afraid due to the events, he took his family and they fled to the bush. The applicant maintains that, upon their return, at the end of the hostilities on 15 March 2003, they realized that pillaging had been committed. The applicant lists his loss. According to the applicant, the Banyamulengués are responsible for the events. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>228</sup>

**Analysis and conclusions**

---

<sup>227</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx334; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 517 to 518.

<sup>228</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx334, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that at the end of November 2002, armed men from the DRC invaded [REDACTED]. According to the applicant, at that time, he was hunting in the bush and his family was at his house, located in the [REDACTED] area. He states that after the invasion, his family fled to his farm. The applicant tried to save some of his belongings, but he could not avoid their pillage. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>230</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

<sup>229</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx335; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 519 to 520.

<sup>230</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx335, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that between 25 November 2002 and 15 March 2003, [REDACTED] was under the control of some soldiers that came from Congo. As a consequence, he and his family had to abandon their house, located in [REDACTED] and to take refuge in the bush. The applicant maintains that their belongings and livestock were pillaged and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>232</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified between 25 November 2002 and 15 March 2003.

---

<sup>231</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx336; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 521 to 522.

<sup>232</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx336, pages 4 to 5.



**Applicant** [REDACTED]**Claim to victim status**

The applicant alleges that on 25 November 2002, during the morning, she heard loud gunfire in the [REDACTED] area of [REDACTED] and she was told that it was the Rwandans who invaded the area. The applicant claims that she took her family and they fled to the fields. She further states that, upon their return, they found that their belongings and livestock had been pillaged and she states that the Banyamulengués of Jean-Pierre Bemba are responsible for the pillage. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>234</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant states that she was told that the assailants were Rwandans but claims that the Banyamulengués are responsible for the events. In this regard, the Chamber recalls its decision of 23 December 2010, where it recognised that “a number of applicants might not be in a position to clearly attribute responsibility for their victimization”<sup>235</sup> and therefore decided that “in the absence of any indication that the crimes were exclusively committed by perpetrators who are not linked to the present case, the mere reference in the applications to other persons or warring groups will not, as such, automatically serve to exclude the applicant. Such applications will need to be analyzed on a case-by-case, notably by taking into account the general circumstances of the

---

<sup>233</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx337; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 523 to 524.

<sup>234</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx337, pages 4 to 5.

<sup>235</sup> ICC-01/05-01/08-1091, paragraph 27.

events, the account of the applicant and the coherence of the application for participation.”<sup>236</sup> In the present case, in light of the intrinsic coherence of the application in all other respects, and given that the applicant explicitly states that her house was pillaged by the Banyamulengués, the Chamber is satisfied that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that in the morning of 25 November 2002, when she heard loud gun shots coming from all directions around the town of [REDACTED] she decided to abandon everything and flee from her home, located in [REDACTED]. She further states that the assailants, whom she identified as the Banyamulengués, stayed in [REDACTED] and [REDACTED] for several months. The applicant maintains that the assailants pillaged all her belongings during their stay. She lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>238</sup>

#### **Analysis and conclusions**

---

<sup>236</sup> ICC-01/05-01/08-1091, paragraph 27.

<sup>237</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx338; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 525 to 526.

<sup>238</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx338, pages 4 to 5.

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that at the end of November 2002, the Banyamulengués invaded the [REDACTED] area of [REDACTED]. He further states that the assailants occupied his neighbourhood until 15 March 2003 and committed pillage in the area. According to the applicant, he fled to the bush and did not return until the soldiers had left. The applicant maintains that, upon his return, he found that his belongings were destroyed to be used as firewood and that he lost his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>240</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>239</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx339; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 527 to 528.

<sup>240</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx339, pages 4 to 5.

Regarding the alleged destruction of the applicant's belongings, the Chamber recalls that it has already ruled that in case of destruction of property by fire, when there is no indication that the property was looted before being destroyed, applications for participation will be rejected.<sup>241</sup> The Chamber further notes that the applicant only states that he lost his chickens and ducks. In the absence of any indication that the animals were pillaged, the application for participation in the proceedings is rejected.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that on 25 November 2002, the [REDACTED] area, located at [REDACTED] kilometre from [REDACTED] on the road to [REDACTED] was invaded by Mr Bemba's troops. The applicant maintains that when they heard gunshots, he and his family fled without taking any belongings with them. The applicant alleges that on the 5th day he returned to take his belongings, with the exception of his bed and his livestock which were subsequently pillaged. The applicant lists his loss. According to the applicant, the events ended on 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>243</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis

<sup>241</sup> ICC-01/05-01/08-1017, paragraph 56.

<sup>242</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx340; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 529 to 530.

<sup>243</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx340, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that between the end of November 2002 and 15 March 2003, the Banyamulengués, speaking no other language than Lingala, invaded and occupied the [REDACTED] area of [REDACTED]. The applicant maintains that at the time, he was working in the fields and he decided not to return to his house, but to take refuge in the bush. According to the applicant, he had some of his belongings with him but his livestock was still in the village. The applicant alleges that, upon his return, he found that his goats had been pillaged in order to be eaten by the assailants. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>245</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his goats by the Banyamulengués of Jean-Pierre

---

<sup>244</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx341; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 531 to 532.

<sup>245</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx341, pages 4 to 5.

Bemba, in the [REDACTED] area of [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that on 25 November 2002, Mr Bemba's armed troops took control of the [REDACTED] area, located at [REDACTED] kilometre from [REDACTED]. The applicant maintains that she fled from her house, together with her children, and sought refuge in the bush, leaving all her belongings behind. She claims that when she returned to the village after the *sursaut patriotique* of 15 March 2003, she noticed that all her belongings had been pillaged and she lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>247</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

---

<sup>246</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx342; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 533 to 534.

<sup>247</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx342, pages 4 to 5.

**Applicant** [REDACTED]**Claim to victim status**

The applicant alleges that between 25 November 2002 and 15 March 2003, Mr Bemba's troops occupied the [REDACTED] area, located at [REDACTED] kilometre from [REDACTED] on the road to [REDACTED]. According to the applicant, she could not stay any longer at her house and therefore she abandoned it in order to flee. The applicant states that she suffered little loss which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>249</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

**Applicant** [REDACTED]**Claim to victim status**

The applicant alleges that in the morning of 25 November 2002, troops from the DRC invaded [REDACTED] which they occupied until mid March 2003.

---

<sup>248</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx343; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 535 to 536.

<sup>249</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx343, pages 4 to 5.

<sup>250</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx344; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 537 to 538.

According to the applicant, he and his family had to flee in order to take refuge in the bush. The applicant maintains that when he came back to his house, located in the [REDACTED] area, at [REDACTED] kilometers from [REDACTED] on the road to Bangui, on 17 March 2003, he found that his belongings had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>251</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that in the beginning of January 2003, after passing by [REDACTED] the Banyamulengués invaded the village of [REDACTED] located at [REDACTED] kilometers on the road to [REDACTED]. The applicant further says that the assailants established their base over there, until 15 March 2003. The applicant maintains that he fled from the area abandoning his home and his belongings.

---

<sup>251</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx344, pages 4 to 5.

<sup>252</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx345; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 539 to 540.



The applicant alleges that his belongings and livestock were pillaged during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>253</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January 2003 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that at the beginning of January 2003, soldiers from the DRC, who had their base in [REDACTED] started invading [REDACTED]. The applicant maintains that when the troops arrived in [REDACTED] he had already gone to the fields. He states that he stayed there and his family also fled and joined him there. The applicant claims that he had to abandon his house and his belongings. The applicant lists the loss he suffered under these circumstances and claims that the Banyamulengués pillaged his money, his bed and his mattress. According to the

---

<sup>253</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx345, pages 4 to 5.

<sup>254</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx346; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 541 to 542.

applicant, the events lasted until March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>255</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January 2003 and March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

The applicant alleges that when the events started, he was in the fields. He alleges that during his absence, the armed men pillaged his belongings which were in his house in [REDACTED] village, located at [REDACTED] kilometer on the road to [REDACTED]. According to the applicant, the events occurred between the end of November 2002 and 15 March 2003 and the armed troops of Mr Bemba are responsible for the events. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>257</sup>

### **Analysis and conclusions**

---

<sup>255</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx346, pages 4 to 5.

<sup>256</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx347; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 543 to 544.

<sup>257</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx347, pages 4 to 5.

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the village of [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that towards the end of November 2002, the Banyamulengués took control over [REDACTED]. The applicant maintains that because the Banyamulengués considered all the men as their enemies, he had to flee from his house, located in [REDACTED] and he sought refuge in the bush. The applicant alleges that, upon his return after 15 March 2003, he found that his belongings had been pillaged and his livestock eaten. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>259</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

---

<sup>258</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx348; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 545 to 546.

<sup>259</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx348, 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in the village of [REDACTED] on an unspecified date between the beginning the end of November 2002 and 15 March 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant alleges that between the end of November 2002 and 15 March 2003, the Banyamulengués invaded and occupied the [REDACTED] area of [REDACTED]. According to the applicant, he and his family had to abandon their house and their belongings and they sought refuge in the bush. The applicant maintains that, as the assailants were controlling the city, they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>261</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-

---

<sup>260</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx349; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 547 to 548.

<sup>261</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx349, pages 4 to 5.

Pierre Bemba, in the [REDACTED] area of [REDACTED] on an unspecified date between the end of November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that on 25 November 2002, the Banyamulengués invaded the [REDACTED] area, located at [REDACTED] from [REDACTED] on the road to [REDACTED]. The applicant claims that fearing to lose his life, he fled the area and abandoned his belongings at his wives' houses. The applicant claims that because the assailants were between 2000 and 2500 men, he was not able to rescue his belongings. He further states that the assailants loaded his personal belongings in their vehicles. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>263</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

---

<sup>262</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx350; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 549 to 550.

<sup>263</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx350, pages 4 to 5, 8.

**Applicant** [REDACTED]**Claim to victim status**

The applicant, a pastor's wife, alleges that at the end of November 2002, the Banyamulengués took control over [REDACTED] and started burning straw houses. The applicant claims that she had to flee her house, located in the [REDACTED] area, leaving all her belongings behind. According to the applicant, upon her return, she found that both her house and the church had been occupied by the soldiers and that all the goods had been pillaged. The applicant lists and values her loss. The applicant further claims that a sum of money belonging to the church had been looted. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>265</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings, with the exception of the money belonging to the church, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date at the end of November 2002.

**Applicant** [REDACTED]

---

<sup>264</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx351; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 551 to 552.

<sup>265</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx351, pages 4 to 5.

<sup>266</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 352; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 553 to 554.

### **Claim to victim status**

The applicant alleges that one morning, between the 1 January 2003 and 15 March 2003, Mr Bemba's rebel troops invaded the [REDACTED] village, located at [REDACTED] kilometers from [REDACTED]. According to the applicant, the assailants established their base in the school yard and started firing in the air; therefore, he and his family had to abandon their house and belongings and flee to the bush. The applicant further states that the assailants occupied his village and took advantage of this situation to pillage his belongings and to eat his livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>267</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] village on an unspecified date between 1 January 2003 and 15 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

---

<sup>267</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 352, pages 4 to 5.

<sup>268</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 353; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 555 to 556.

The applicant alleges that towards the end of November 2002, the [REDACTED] area in [REDACTED] was invaded by the Banyamulengue. The applicant maintains that he took his family and they fled to the bush, leaving all their belongings behind. The applicant claims that upon their return on 18 March 2003, they found that their belongings had been pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>269</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that between 25 November 2002 and 15 March 2003, the Banyamulengués invaded and occupied the [REDACTED] area of [REDACTED]. The applicant maintains that he decided not to leave the area to stay and protect his property. According to the applicant, one day, eight young soldiers forced their

---

<sup>269</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 353, pages 4 to 5.

<sup>270</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 354; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 557 to 558.



way into his house, searched it and pillaged his belongings. The applicant maintains that they went back every night taking his livestock for their consumption. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>271</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that in the morning of 4 January 2003, in the [REDACTED] village, located at [REDACTED] kilometers from [REDACTED] he saw hundreds of military men getting out of some vehicles. According to the applicant, the men, namely the Banyamulengués coming from the former Zaire, dispersed in all directions of the village. He further states that as the sound of guns started, the people, including himself, fled from the area in order to save their lives. The applicant maintains that he left all his property behind and that his belongings and

---

<sup>271</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 354, pages 4 to 5.

<sup>272</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx355; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 559 to 560.

livestock were pillaged. The applicant lists his loss. According to the applicant, the events lasted 3 months, until 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>273</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] village on an unspecified date between 4 January and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that between 4 January 2003 and 15 March 2003, Mr Bemba's troops invaded and occupied the [REDACTED] area of the [REDACTED] village, located [REDACTED] kilometers away from [REDACTED]. The applicant alleges that he was able to retrieve some of his belongings from his home and take them to the bush. The applicant maintains that, when he came back from the bush on 18 March 2003, he found that all his livestock had been used for their consumption. The

---

<sup>273</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 355, pages 4 to 5.

<sup>274</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 356; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 561 to 562.

applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>275</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his livestock, by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] area of the [REDACTED] village on an unspecified date between 4 January 2003 and 15 March 2003. The Chamber is indeed of the view that the consumption by the Banyamulengue of his livestock over months of occupation reasonably implies a prior act of appropriation.

### **Applicant [REDACTED]**

#### **Claim to victim status**

The applicant alleges that between 25 November 2002 and 15 March 2003, the Banyamulengués invaded and occupied the [REDACTED] area, located at [REDACTED] metres from [REDACTED]. The applicant maintains that because of the hostilities, she had to flee from the area, leaving her personal belongings and merchandise behind. According to the applicant, the assailants pillaged all her merchandise, which they loaded into some vehicles. The applicant appends a document in which she

---

<sup>275</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 356, pages 4 to 5.

<sup>276</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 357; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 563 to 564.

lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>277</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date between 25 November 2002 and 15 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 13 February 2003, around 15h00, eight Banyamulengués armed with “kala” weapons, came to his house, located in the [REDACTED] area and fired three shots in the air in order to spread fear. According to the applicant, when they broke down the main entrance, he and his family were hiding between the kitchen and the bathroom. The applicant claims that the assailants left the place with all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>279</sup>

---

<sup>277</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 357, pages 4 to 5, 9.

<sup>278</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx358; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 565 to 566.

<sup>279</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 358, pages 9 to 11.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 13 February 2003, around 13h00, after the confrontations against the rebel forces of François Bozizé, the Banyamulengués occupied [REDACTED]. The applicant further states that five men broke into her house, located in the [REDACTED] area of [REDACTED] started pillaging the goods located in the house and forced her to flee. The applicant further claims that the house was burnt down. She lists and values the loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>281</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of 3 years between the age of the applicant as appearing in the application form and on the school certificate attached thereto. However, given that the remainder of the information provided in the school certificate is consistent with the data entered in the application form, the

<sup>280</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx359; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 567 to 568.

<sup>281</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx359, pages 9 to 11.

Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 13 February 2003.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 14 February 2003, five Banyamulengués invaded her concession, located in [REDACTED]. She claims they threatened her with their guns and entered her house in order to pillage all her belongings. She further claims that thirty minutes later, four other Banyamulengués arrived to take out all the pillaged belongings. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>283</sup>

#### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis

---

<sup>282</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 360; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 569 to 570.

<sup>283</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 360, pages 9 to 11.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 6 January 2003, around 9h00, in [REDACTED] kilometres away from [REDACTED] the Banyamulengués started to pillage and to shoot on the domestic animals. She further states that they pillaged all her belongings as well as the belongings of her grandmother. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>285</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 January 2003.

**Applicant** [REDACTED]

<sup>284</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 361; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 571 to 572.

<sup>285</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 361, pages 9 to 11.

<sup>286</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 362; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 573 to 574.

### **Claim to victim status**

The applicant states that on 12 February 2003, upon the arrival and occupation of [REDACTED] by armed rebel troops, who were committing pillage, rapes and killings, he fled from the area together with his family, leaving all their belongings behind. He claims that his house, located in the [REDACTED] area, was pillaged by the rebels. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>287</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant only refers to the "*troupes rebelles*" and does not name any person or group he considers as being responsible for the events. However, in the absence of any information hinting at the presence of other warring groups in the area at the relevant time, the Chamber is of the view that the failure to clearly identify the alleged perpetrators should not serve to exclude the applicant. Accordingly, the Chamber considers that overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a crime confirmed against the accused, namely the pillage of his belongings in the [REDACTED] area on 12 February 2003.

### **Applicant** [REDACTED]

---

<sup>287</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 362, pages 4 to 5, 9 to 10.

<sup>288</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 363; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 575 to 576.



**Claim to victim status**

The applicant states that on 13 February 2003, the Banyamulengués rebels, who invaded and occupied [REDACTED] committing pillage and killings, broke into his house, located in the [REDACTED] [REDACTED] area, pillaged all his belongings and then burned his house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>289</sup>

**Analysis and conclusions**

The Chamber is satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

**Applicant** [REDACTED]**Claim to victim status**

The applicant states that on 13 February 2003, around 12h00, six Banyamulengués soldiers broke into her house located in the [REDACTED] area of [REDACTED] firing three shots in the air. She further states that once inside the house, the Banyamulengués were rummaging and started pillaging her belongings. She claims that she was under threat and she was not able to do anything about what

---

<sup>289</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 363, pages 4 to 5, 9.

<sup>290</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 364; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 577 to 578.

was happening. She states that she fled to the fields and when she came back with her husband, later in the night, they found that all goods had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>291</sup>

### **Analysis and conclusions**

The Chamber notes a slight discrepancy between the name of the applicant as appearing on the application form and the one indicated in her birth certificate. The Chamber considers that this discrepancy might be the result of inadvertent error in filling in the form and therefore the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 13 February 2003, after the confrontations with the Chadian rebels, the Banyamulengués rebels occupied [REDACTED] committing pillage and other violent acts. She further states that she was also a victim of these acts because the Banyamulengués pillaged her belongings. The applicant

---

<sup>291</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx364, pages 4 to 5.

<sup>292</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx365; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 579 to 580.

appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>293</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

The applicant states that on 14 February 2003, during the military-political events that took place from February to March 2003 in the [REDACTED] of [REDACTED] on the road to [REDACTED] he was a victim of pillage and violence committed by the men of Jean-Pierre Bemba. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>295</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

<sup>293</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx365, pages 4 to 5, 9.

<sup>294</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx366; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 581 to 582.

<sup>295</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx366, pages 4 to 5, 9

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba the in [REDACTED] on 14 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant claims that on 14 February 2003, upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] they pillaged his belongings and his livestock. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>297</sup>

**Analysis and conclusions**

The Chamber notes a slight discrepancy between the name of the applicant as appearing on the application form and the one indicated in his birth certificate. The Chamber considers that this discrepancy might be the result of inadvertent error in filling in the form and is therefore satisfied that the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

---

<sup>296</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx367; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 583 to 584.

<sup>297</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx367, pages 4 to 5, 9.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 14 February 2003.

**Applicant** [REDACTED]

### **Claim to victim status**

The applicant states that between 10 February and 11 March 2003, the Banyamulengués pillaged his belongings and livestock located in the rural area of [REDACTED]. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>299</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 10 February and 11 March 2003.

**Applicant** [REDACTED]

### **Claim to victim status**

<sup>298</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx368; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 585 to 586.

<sup>299</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx368, pages 4 to 5, 9 to 11.

<sup>300</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx369; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 587 to 588.

The applicant states that on 12 February 2003, the Banyamulengués invaded the [REDACTED] area of [REDACTED] and committed violence and pillaging. He further states that his personal belongings and his livestock were pillaged. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>301</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 12 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 13 February 2003, the Banyamulengués attacked [REDACTED] committing violence and pillage. The applicant further states that he was threatened and had to flee from the area. He contends that during the events, he lost his personal belongings and his cattle. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>303</sup>

---

<sup>301</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx369, pages 4 to 5, 9.

<sup>302</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx370; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 589 to 590.

<sup>303</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx370, pages 4 to 5, 8.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 13 February 2003, she was a victim of pillage and violence committed by the troops of Jean-Pierre Bemba. The applicant further states that the Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] to pillage all her belongings. The applicant appends a document in which she lists her loss. The applicant also states that her husband has died and that she is a widow. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>305</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

In the absence of any information regarding the precise circumstances of her husband's death, only pillage will be considered for the purpose of the present

---

<sup>304</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx371; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 591 to 592.

<sup>305</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx371, pages 4 to 5, 8.

assessment. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

**Applicant** [REDACTED]

**Claim to victim status**

The applicant states that on 12 February 2003, the Banyamulengués committed acts of violence, pillage and killing in [REDACTED]. She ascertains that when she was returning from the market, two of them followed her. She claims that they got into her house, located in the [REDACTED] area, threw her on her husband's bed and beat her. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.<sup>307</sup>

**Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that the applicant allegedly suffered harm as a result of beatings, which is not related to the crimes confirmed against the accused. Therefore, her application for participation in the proceedings is rejected.

**Applicant** [REDACTED]

---

<sup>306</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx372; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 593 to 594.

<sup>307</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx372, pages 4 to 5, 9.

<sup>308</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx373; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 595 to 596.



### **Claim to victim status**

The applicant states that on 13 and 14 February 2003, he suffered from the violence and the pillaging committed by the Banyamulengués in the [REDACTED] area. The applicant claims that his belongings and his livestock were pillaged and he appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>309</sup>

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 13 and 14 February 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

The applicant states that on 13 February 2003, he suffered from the violence and the pillaging committed by Jean-Pierre Bemba's men in the [REDACTED] area. He claims that his belongings and his livestock were pillaged and he appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>311</sup>

<sup>309</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx373, pages 4 to 5, 9.

<sup>310</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx374; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 597 to 598.

<sup>311</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx374, pages 4 to 5, 9 to 10.

### **Analysis and conclusions**

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 13 February 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 14 January 2003, when he was 15 years old, he arrived together with his grand-mother in [REDACTED] which was occupied by the Banyamulengués of Jean-Pierre Bemba. He says that his grand-mother was a trader and that she lost all her merchandise and money during the events. He lists the loss suffered by his grand-mother, with a total estimated value of 10,500,000 CFA. He contends that his grandmother died two years later, as a consequence of the shock. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>313</sup>

### **Analysis and conclusions**

The Chamber notes that it already issued a decision on the merits of the applicant's claim, whereby it rejected the application given that the applicant only reported the pillage of his grandmother's belongings and, as such, could not

---

<sup>312</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx399; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 437 to 438.

<sup>313</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx399, pages 9 to 11, 19.

be considered as being a victim of pillage himself. In addition, the Chamber noted that in the absence of any document establishing the identity of and kinship with his deceased grandmother, the application could not be treated as an application on her behalf.<sup>314</sup> The application was subsequently resubmitted with documents attesting the identity of the applicant's grandmother as well as the kinship between them. However, the Chamber notes that the applicant fails to indicate whether he intends to act on behalf of his deceased grandmother. The Chamber further considers that the account of the events, notably the claimed value of items allegedly pillaged, creates a doubt as to the existence of the pillage as well as to the value of the lost items. Accordingly, the application for participation in the proceedings is rejected.

#### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that in December 2002, during his absence, his house located in the [REDACTED] area of [REDACTED] was pillaged by the MLC troops of Jean-Pierre Bemba, who had spent various months at his place before being driven out. He further states that these troops neither spoke Sango nor French and that they came from the other bank of the Congo River. As result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>316</sup>

#### **Analysis and conclusions**

---

<sup>314</sup> ICC-01/05-01/08-1017-Conf-Exp-AnxC, pages 48 to 49.

<sup>315</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 401; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 463 to 464.

<sup>316</sup> ICC-01/05-01/08-1381-Conf-Exp-Anx 401, pages 9 to 11, 20.

The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber notes that it has already issued a decision on the present application, whereby it rejected the application on the grounds that the applicant did not provide any information regarding the date of the alleged events. However, given that the applicant subsequently specified that the events occurred in December 2002, which is consistent with the information provided in the application, the Chamber is satisfied that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on an unspecified date in December 2002.