

ANNEX A

Group A: Bangui/PK12

○ Ninth transmission - ICC-01/05-01/08-1381-Conf-Exp-Anx192

Applicant [REDACTED]

Claim to victim status

The applicant claims that in November 2002, Mr Bemba's rebel troops pillaged his villa, located in [REDACTED] [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 psychological and material harm.²

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 in November 2002.

○ Eleventh transmission - ICC-01/05-01/08-1604-Conf-Exp-Anxs

Applicant [REDACTED]

¹ ICC-01/05-01/08-1381-Conf-Exp-Anx192; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 17 to 18.

² ICC-01/05-01/08-1381-Conf-Exp-Anx192, pages 9 to 13, 24 to 30.

³ ICC-01/05-01/08-1604-Conf-Exp-Anx15; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 13 to 14.

Claim to victim status

The applicant states that on 10 February 2003, the Banyamulengués entered her house, located in the [REDACTED] area of [REDACTED]. She states that she fled with her daughters and sought refuge in the [REDACTED] area. According to the applicant, the Banyamulengués pillaged her belongings and used her livestock for their food supply. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴

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 10 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 1 November 2002, the Banyamulengués invaded the [REDACTED] area of [REDACTED]. According to the applicant, most of the population fled from the area because the Banyamulengués were committing murder, rape and pillage. The applicant claims that his wife and children fled from the area while

⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx15, pages 4 to 5 and 8 to 11.

⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx172; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 15 to 16.

he stayed to look after their home. The applicant alleges that the Banyamulengués, after threatening him, pillaged all their belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶

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 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 2 February 2003, the Banyamulengués invaded the [REDACTED] area of [REDACTED]. According to the applicant, they came to his home, beat him and threw him on the floor. He claims that the assailants pillaged his belongings which he lists. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁸

Analysis and conclusions

⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx172, pages 4 to 5.

⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx174; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 17 to 18.

⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx174, 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 2 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 2 November 2002, while returning to Bangui from a trip to [REDACTED] he was intercepted by the Banyamulengués at [REDACTED] on the road to [REDACTED]. He claims that the assailants forced the passengers to get out of the vehicle and searched them. He further claims that they threatened them, forcing them to flee and leave their belongings in the vehicle. The applicant alleges that they then pillaged all his belongings and merchandise. As a result of the alleged events, the applicant claims to have suffered material harm¹⁰

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

⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx176; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 19 to 20.

¹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx176, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 26 November 2002, the Banyamulengués intercepted her in [REDACTED] located around [REDACTED] kilometres from Bangui, on the road to [REDACTED]. The applicant claims that she was beaten and forced to undress. She further claims that she was then undressed and raped by four Banyamulengués. She states that the assailants then pillaged all her money and her merchandise. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²

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 26 November 2002.

Applicant [REDACTED]

¹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx177; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 21 to 22.

¹² ICC-01/05-01/08-1604-Conf-Exp-Anx177, pages 4 to 5.

¹³ ICC-01/05-01/08-1604-Conf-Exp-Anx180; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 23 to 24.

Claim to victim status

The applicant alleges that on 9 December 2002, when the Banyamulengués took control of [REDACTED] he was in his house, together with his brothers. The applicant alleges that while they were trying to escape to [REDACTED] they were intercepted by the Banyamulengués who beat them, undressed them and pillaged all their belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁴

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 9 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, Mr Bemba's men broke into her house, located in the [REDACTED] area of Bangui, [REDACTED]. The applicant claims that the Banyamulengués started firing shots in the air. According to the applicant, the Banyamulengués physically assaulted one of her nieces, who had been raised by the applicant. The applicant claims that her niece succumbed to her injuries a few

¹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx180, pages 4 to 5.

¹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx181; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 25 to 26.

months later. The applicant claims that the Banyamulengués also pillaged all their belongings and damaged the house. The applicant lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with her alleged niece, 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 the [REDACTED] area of Bangui, [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in November 2002, the Banyamulengués entered his house located in the [REDACTED] area of [REDACTED] and spoke to him and his family in Lingala which they did not understand. According to the applicant, the Banyamulengués started beating them and then pillaged the entire area. When they returned to their house after the coup by François Bozizé, they noticed that

¹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx181, pages 4 to 5.

¹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx182; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 27 to 28.

all their belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁸

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 in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 November 2002, after a heavy fight between General Bozizé's rebels and the MLC troops of Jean-Pierre Bemba, Mr Bemba's troops entered [REDACTED]. The applicant claims that they started committing rape, pillage and murder until the following morning. According to the applicant, she was taken hostage and raped by the armed men and her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰

Analysis and conclusions

¹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx182, pages 4 to 5.

¹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx183; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 29 to 30.

²⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx183, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 5 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in November 2002, the Banyamulengués invaded her two houses located in [REDACTED] and turned them into their headquarters. According to the applicant, upon their invasion, on 4 November 2002, she fled from the area, together with her family, to seek refuge in a small village, at some distance away from Bangui and only returned on 11 November 2002. The applicant claims that during her absence, the Banyamulengués pillaged her house, her depot in [REDACTED] at [REDACTED] her garments workshop and her construction materials. The applicant further claims that she lost her 20 year-old sister, due to lack of medical treatment. The applicant appends two documents in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²

Analysis and conclusions

²¹ ICC-01/05-01/08-1604-Conf-Exp-Anx184; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 31 to 32.

²² ICC-01/05-01/08-1604-Conf-Exp-Anx184, pages 4 to 5, 7, 9.

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with her alleged sister, 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] [REDACTED] on an unspecified date between 4 and 12 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 March 2003, Mr Bemba's militia who were based at [REDACTED] and who were fleeing from Mr Bozizé's rebels entered [REDACTED]. According to the applicant, a group of five militiamen entered her house and a female soldier asked her to give her the shoes the applicant was wearing. The applicant claims that once she had given her shoes to the female soldier, another militiaman pointed his weapon at her brother and the others started to pillage the house. The applicant appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴

Analysis and conclusions

²³ ICC-01/05-01/08-1604-Conf-Exp-Anx185; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 33 to 34.

²⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx185, pages 4 to 5, 9.

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 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 30 November 2002, upon her return from the fields, she saw that her house located in [REDACTED] had been ransacked, the doors and windows had been broken and the roof removed. The applicant further claims that as she saw uniformed men in her compound, she fled together with her children. She states that the men followed her all day, up to the fields in [REDACTED]. The applicant claims that all her belongings were pillaged by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁶

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

²⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx186; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 35 to 36.

²⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx186, pages 4 to 5.

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 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 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 31 October 2002, while she was selling coffee, the troops of Mr Bemba invaded the area of [REDACTED] in [REDACTED] in order to drive out the rebels. The applicant claims that her sister, who wanted to flee, was shot and killed by the Banyamulengués. The death certificate appended to the application indicates that the death occurred on 31 October 2002. According to the applicant, her father was killed by a bullet as well. The applicant further claims that she was sexually abused by two soldiers and that their house was pillaged by the Banyamulengués who took the pillaged items to their base in [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her sister as well as their kinship. However, in the absence of

²⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx188; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 37 to 38.

²⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx188, pages 4 to 5.

any document establishing the identity of and kinship with her alleged father, only pillage, rape and the murder of her sister 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 her rape, the pillage of her belongings and the murder of her sister by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The application is introduced by the [REDACTED] of a [REDACTED] depot. He claims that on 25 October 2002, the [REDACTED], located in [REDACTED] was pillaged by the Banyamulengués. He further appends a series of documents, including constitutive documents of the [REDACTED], documents attesting to his position within the [REDACTED] as well as documents that have been submitted to the Judicial Commissioner of Inquiry in Bangui and a *procès verbal de constat*. According to these documents, the Banyamulengués pillaged a radio transistor, a sum of money, a clock and various [REDACTED] products. As a result of the alleged events, it is claimed that the [REDACTED] suffered material harm.³⁰

Analysis and conclusions

²⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx189; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 39 to 40.

³⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx189, pages 4 to 5, 9 to 29.

The Chamber notes that the applicant submits an application for natural persons, while he claims that the victim is an institution, notably a [REDACTED] depot of which he is the [REDACTED]. The Chamber is of the view that in light of its activities, its purpose and its link with the services of a [REDACTED], a [REDACTED] depot can be considered as an institution referred to in Rule 85(b) of the Rules and therefore considers that the application should be dealt with under Rule 85(b).

The Chamber further notes that the documents provided demonstrate the identity of the [REDACTED] depot and the person submitting the application as well as his legal standing to introduce the application on behalf of the institution.

The Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,³¹ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. In the present case, the Chamber observes that the date of the alleged events provided by the applicant is 25th of October 2002. As the alleged pillage would have taken place one day before the 26th of October 2002, the Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the alleged pillage falls within the temporal scope of the charges. Under these circumstances, the institution is a victim under Rule 85(b) on the basis that it suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of its belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or about 26 October 2002.

Applicant [REDACTED]

³¹ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

³² ICC-01/05-01/08-1604-Conf-Exp-Anx190; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 41 to 42.

Claim to victim status

The applicant alleges that early in the morning of 31 October 2002, the MLC troops of Mr Bemba invaded the [REDACTED] area of [REDACTED]. According to the applicant, as there were fire arm explosions all over the village, her son went out of the house to enquire about the events. When he got out, he stood face to face with the MLC soldiers of Mr Bemba who killed him by gunshot. The applicant further states that at the same time, another group of soldiers arrived at their house, beat her partner and pillaged all their belongings from the house. The applicant claims that they buried her son and then fled to the bush where they stayed for two months. The applicant appends a death certificate establishing that her son's death occurred on 31 October 2002 as well as a sketch of her house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her son as well as their kinship.

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 31 October 2002.

Applicant [REDACTED]

³³ ICC-01/05-01/08-1604-Conf-Exp-Anx190, pages 4 to 5, 11.

³⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx191; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 43 to 44.

Claim to victim status

The applicant claims that on 26 February 2003, Jean-Pierre Bemba's rebels invaded [REDACTED] in [REDACTED]. According to the applicant, at the time, he had just taken his family to [REDACTED] and had returned to his home to collect his documents when the rebels took him hostage and used him as their servant, forcing him to cook goats and chicken they had taken from the people living in the area. The applicant claims that on 1 March 2003, they brought a vehicle and started loading his belongings inside. According to the applicant, on 2 March 2003, they returned with the same vehicle and when he wanted to resist to the pillage, they beat him with the butts of their rifles and injured him at his right leg. The applicant claims that he was saved by the intervention of their leader, who instructed the soldiers to free the applicant, drove him to the hospital and gave him a sum of money. The applicant maintains that after his treatment, he went to his in-laws in [REDACTED]. There, he was informed by a neighbour that the rebels had left his house but had pillaged all his belongings and set the house on fire. Following this information, the applicant returned to his house and found that nothing was left. The applicant appends photographs of the burned house and a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁵

Analysis and conclusions

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

³⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx191, pages 4 to 5, 8 to 10, 13 to 14.

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 1 and 2 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 28 October 2002, the armed men of Jean-Pierre Bemba invaded the village of [REDACTED] [REDACTED] and started committing atrocities, including pillage and rape. The applicant states that upon their arrival, she and her family fled and sought refuge 17 kilometers away in the bush. The applicant claims that during their absence, Jean-Pierre Bemba's men pillaged her house and livestock. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁷

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

³⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx192; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 45 to 46.

³⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx192, pages 4 to 5, 8.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 29 October 2002, Jean-Pierre Bemba's men, who were armed and dressed in military uniforms, arrived in [REDACTED] [REDACTED] and drove him and his family out of their house, alleging that they were hiding François Bozizé's men. The applicant claims that he was injured on his right arm with a bayonet before he managed to flee. The applicant alleges that they occupied their house for five months and pillaged all his belongings he had inherited from his father as well as his livestock. The applicant appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³⁹

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 29 October 2002.

³⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx193; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 47 to 48.

³⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx193, pages 4 to 5, 8.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 1 November 2002, while she was at her older sister's house in [REDACTED] together with her sister's two sons, the Banyamulengués entered their compound. The applicant claims that six soldiers of Mr Bemba asked her to undress. When she resisted, they shoved her, threw her on the ground and raped her. The applicant alleges that at the end, they pillaged their belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴¹

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 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 January 2003, he was cycling back to Bangui from [REDACTED] where he had been to sell merchandise. He alleges that upon his arrival at

⁴⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx196; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 49 to 50.

⁴¹ ICC-01/05-01/08-1604-Conf-Exp-Anx196, pages 4 to 5.

⁴² ICC-01/05-01/08-1604-Conf-Exp-Anx197; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 51 to 52.

he was intercepted by Mr Bemba's troops who searched him and asked him to give them his money, his bicycle as well as the remaining merchandise. As the applicant refused, four Banyamulengués pushed him to the ground and beat him up. The applicant alleges that when he attempted to flee, he was shot in his right leg and the Banyamulengués pillaged his bicycle with the remaining merchandise as well as his money. The applicant further states that as a consequence of the bullet wound, [REDACTED]. The applicant appends three medical documents showing that the applicant's [REDACTED] on 25 February 2003 as a consequence of a gunshot which had occurred on 15 January 2003. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴³

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 15 January 2003.

Applicant

Claim to victim status

⁴³ ICC-01/05-01/08-1604-Conf-Exp-Anx197, pages 4 to 5, 9 to 12.

⁴⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx198; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 53 to 54.

The applicant alleges that on 1 November 2002, when he was staying with his parents at the family home in the [REDACTED] area of [REDACTED] the area was invaded by the Banyamulengués. The applicant states that upon their arrival, his parents fled but he and his brother decided to stay to look after the house. The applicant alleges that Mr Bemba's men arrived at their house at around 15.30 and found them, seized them and tied them up, beat them and pillaged all their belongings from the house, including the applicant's clothes, shoes and school documents. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁵

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 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 28 October 2002, he was inside his house located in the [REDACTED] area of Bangui, together with his children, when a bullet came through the roof and hit his eight-year-old son in the chest. According to the

⁴⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx198, pages 4 to 5.

⁴⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx224; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 57 to 58.

applicant, when he took his injured son to the pediatrician for treatment, the Banyamulengués, who were carrying an injured soldier, threatened the medical staff with their arms to prevent them from extracting the bullet. The applicant claims that his son subsequently died due to lack of treatment and he appends a death certificate indicating that the death occurred on 28 October 2002 as a consequence of a bullet wound. The applicant also alleges that the Banyamulengués damaged his house. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.⁴⁷

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and his deceased son as well as their kinship.

However, the Chamber notes that according to the applicant, the bullet entered through the roof before it penetrated his son's chest. In light of the circumstances of the death, as described in the application, the Chamber cannot conclude that the applicant was murdered. Accordingly, since the applicant did not suffer harm as a result of a crime confirmed against the accused, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 19 November 2002, he was conducting a test drive with his minibus at [REDACTED] in [REDACTED] when he was intercepted by the Banyamulengués. According to the applicant, they forced him out of the bus,

⁴⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx224, pages 4 to 5.

⁴⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx228; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 59 to 60.

knocked him down and he lost consciousness. The applicant claims that when he regained consciousness, he found that the Banyamulengués had pillaged his minibus and the money he had in his pocket. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁹

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 19 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 and 28 February 2003, three Banyamulengués broke into his house located in [REDACTED] [REDACTED] and pillaged his belongings while three other Banyamulengués remained outside. 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.⁵¹

Analysis and conclusions

⁴⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx228, pages 4 to 5.

⁵⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx229; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 61 to 62.

⁵¹ ICC-01/05-01/08-1604-Conf-Exp-Anx229, pages 4 to 5, 8 to 13.

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 27 and 28 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while he was having breakfast, two armed men came to his house, located in [REDACTED] [REDACTED] [REDACTED]. According to the applicant, the men said that they were Banyamulengués, who had come to save Central Africans from the Zakawas, Chadian soldiers. The applicant states that they had breakfast together. However, the following day, on 28 February 2003, around thirty armed Banyamulengués broke into his house. The applicant alleges that they pillaged all his belongings, vehicles and livestock. The applicant appends a document in which he lists and values his loss. He also appends photographs showing the damage to his property. As a result of the alleged events, the applicant claims to have suffered material harm.⁵³

Analysis and conclusions

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

⁵² ICC-01/05-01/08-1604-Conf-Exp-Anx230; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 63 to 64.

⁵³ ICC-01/05-01/08-1604-Conf-Exp-Anx230, pages 4 to 5, 8 to 21.

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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 and 28 February 2003, a group of armed Banyamulengués broke into her house located in [REDACTED] [REDACTED] tore and burned some important official and personal documents and pillaged her belongings. The applicant appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁵

Analysis and conclusions

The Chamber notes that the applicant fails to indicate her date of birth in the application form. However, as the remainder of the information provided in the form is consistent with the information contained in the applicant's identity document and given that the applicant's name also appears on the bills appended to the application, the Chamber is satisfied that the identity of the applicant is established.

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

⁵⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx231; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 65 to 66.

⁵⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx231, pages 4 to 5, 8 to 12.

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 27 and 28 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 30 October 2002, a group of Jean-Pierre Bemba's uniformed and armed men entered his house located in the [REDACTED] area of [REDACTED] physically assaulted him and pillaged some of his belongings. The applicant further states that one hour later, another group of men entered his house and pillaged the remaining belongings. The applicant appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁷

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 30 October 2002.

⁵⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx232; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 67 to 68.

⁵⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx232, pages 4 to 5, 8, 10 to 14.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 17 November 2002, Jean-Pierre Bemba's armed men entered her house located in the [REDACTED] area of [REDACTED] [REDACTED] drove her and her family out and occupied the house for four months. The applicant claims that during their absence, the rebels pillaged all her belongings and destroyed doors and windows. The applicant appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹

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 as of 17 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 17 November 2002, Jean-Pierre Bemba's armed men broke into his house located in the [REDACTED] area of [REDACTED] [REDACTED]. The applicant

⁵⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx233; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 69 to 70.

⁵⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx233, pages 4 to 5, 8.

⁶⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx234; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 71 to 72.

claims that he was slapped and pushed out of the house, whereupon he fled to the bush to join his family. The applicant alleges that Jean-Pierre Bemba's men occupied his house for five months and pillaged his belongings during his absence. The applicant appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶¹

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 17 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 19 November 2002, Jean-Pierre Bemba's armed men, who were speaking Lingala, broke into her house located in [REDACTED]. According to the applicant, they pillaged a bum bag containing a sum of money as well as all her belongings in the house. The applicant states that she fled with her husband and children and that Mr Bemba's men stayed in their house for a period of four months. The applicant appends a document in which

⁶¹ ICC-01/05-01/08-1604-Conf-Exp-Anx234, pages 4 to 5, 8.

⁶² ICC-01/05-01/08-1826-Conf-Exp-Anx1; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 73 to 74.

she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶³

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 19 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant is a non-governmental organisation whose mandate covers the promotion of agricultural activities, the protection of the environment and the elimination of illiteracy. The application is introduced by the president of the organization.

It is stated that between 15 and 19 February 2003, Mr Bemba's soldiers pillaged the organisation's property at its headquarters in [REDACTED]. The loss is listed and valued. As a result of the alleged events, it is stated that the applicant organization suffered material harm.⁶⁵

Analysis and conclusions

⁶³ ICC-01/05-01/08-1604-Conf-Exp-Anx235-Corr, pages 4 to 5, 8.

⁶⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx260; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 3 to 4.

⁶⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx260, pages 7 to 8, 14.

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

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 in [REDACTED] [REDACTED] between 15 and 19 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, a group of armed men, belonging to Jean-Pierre Bemba's Banyamulengués, entered his house located in Bangui. He alleges that they made him lie on the ground and sat on him. He states that they pointed their guns at him and his wife and threatened to kill them if they shout or resist their orders. He alleges that they pillaged all his belongings and loaded them in their vehicle. 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.⁶⁷

Analysis and conclusions

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

⁶⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx261; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 5 to 6.

⁶⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx261, pages 9 to 11, 18, 22 to 23.

The Chamber notes that it already issued a decision on the merits of the application in which the applications was rejected on the basis that “the age of the applicant as indicated in the application form [was] not consistent with the date of birth appearing on the identity document” and given that “the applicant did not indicate the place of the alleged event.”⁶⁸

However, the applicant subsequently confirmed his date of birth and further clarified that the events occurred on 26 October 2002, in Bangui, [REDACTED]. In this respect, the Chamber notes that the date provided in the additional statement differs from the date provided in the original application. However, in light of the time elapsed between the filling in of the original application and the provision of the additional statement, and given that the alleged events occurred over eight years ago, the Chamber is of the view that such discrepancy should not serve to exclude the applicant. Accordingly, in light of the clarifications provided in relation to the applicant’s date of birth and place of the events, 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 Bangui, [REDACTED] on 26 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, armed Banyamulengués entered his compound, located in [REDACTED]. While he was hiding with his mother at their

⁶⁸ ICC-01/05-01/08-1091-Conf-Exp-AnxA, pages 74 to 75.

⁶⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx263; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 7 to 8.

neighbours' house, they saw that the Banyamulengués opened the door of their house with a gunshot and pillaged his and his family's belongings. According to the applicant, they finally ended up standing face-to-face with the Banyamulengués. He asserts that one Banyamulengue shot at him while the other Banyamulengués were firing in the air. The applicant alleges that due to the shot he was brought to the hospital where he spent one month. He specified that he suffered an open fracture of his right leg, an injury of his left leg and the amputation of his toe. The applicant appends various medical certificates, attesting that he was hospitalized from 1 November to 3 December 2002 due to injuries caused by gunshot, as well as a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁰

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 1 November 2002.

Applicant [REDACTED]

Claim to victim status

⁷⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx263, pages 9 to 11, 20 to 42.

⁷¹ ICC-01/05-01/08-1604-Conf-Exp-Anx265; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 9 to 10.

The applicant states that on 14 February 2003, Jean-Pierre Bemba's Banyamulengués broke into his compound, located in the [REDACTED] area, on the road to [REDACTED]. The applicant alleges that his family was very scared and thus sought refuge inside the house. However, when the Banyamulengués tried to enter their house, the applicant stood up to ask them what they wanted. He claims that consequently, they beat him with the butts of their rifles until he fell on the ground from where he could hear his wife and two sisters scream for 30 or 40 minutes. The applicant claims that his two sisters were raped and that he was tortured. The applicant adds that the Banyamulengués pillaged all they could find inside the house and he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with his sisters, 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 14 February 2003.

Applicant [REDACTED]

⁷² ICC-01/05-01/08-1604-Conf-Exp-Anx265, pages 9 to 11, 8.

⁷³ ICC-01/05-01/08-1604-Conf-Exp-Anx269; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 11 to 12.

Claim to victim status

The applicant alleges that in October 2002, the Banyamulengués invaded the [REDACTED] area of Bangui and broke into her compound. She states that they wanted to rape her, but she refused, so they started beating her, hitting her in the chest and in the back. The applicant alleges that when she offered them money they stopped beating her. She states that after she gave them the money, they continued to search the house and they pillaged her gold jewelry and diamonds as well as a sum of money. The applicant appends a medical certificate, dated 15 February 2003 which attests to the fact that she suffered injuries due to beatings occurred on 20 January 2002 as well as a medical prescription for medication dated 20 January 2003. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁷⁴

Analysis and conclusions

The Chamber notes that the date provided in the application form does not correspond to the date the applicant was born but to the date the birth was declared. However, the Chamber is of the view that this might be the result of inadvertent error and is thus satisfied that the identity of the applicant is established.

The Chamber further notes an inconsistency regarding the date of the alleged events. While it is stated in the application form that the events occurred in October 2002, the medical certificate appended to the application is dated 15 February 2003 and indicates that the beatings occurred on 20 January 2002. However, noting that the alleged beatings are not covered by the charges, the

⁷⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx269, pages 9 to 11, 13, 21 to 22.

discrepancy regarding the dates on the medical certificates has no impact on the analysis of the application in relation to the claim of pillaging. Under these circumstances, 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 an unspecified date between 26 October 2002 and 20 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 January 2003, on his way on the road to [REDACTED] to [REDACTED] to look after his livestock, his car was stopped by a group of approximately ten armed soldiers who asked him for money. The applicant alleges that they physically assaulted him and pillaged his money as well as his livestock, which they ate. He further states that he needed surgery after the alleged events. The applicant lists his loss. According to the applicant, Jean-Pierre Bemba's militias are responsible for these events. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷⁶

Analysis and conclusions

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

⁷⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx14; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 440 to 441.

⁷⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx14, pages 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 [REDACTED] road to [REDACTED] on 5 January 2003.