

ANNEX A

Group A: Bangui/PK12

o Sixteenth transmission - ICC-01/05-01/08-1922-Conf-Exp-Anxs

Applicant [REDACTED]

Claim to victim status

The applicant claims that around the end of October 2002 and November 2002, his wife and children fled from their house, located in PK [REDACTED], near [REDACTED] before the arrival of the Banyamulengués. The applicant states that he joined them the next day and that while they were away, the rebels pillaged their house. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 PK [REDACTED] on an unspecified date between 26 October 2002 and November 2002.

¹ ICC-01/05-01/08-1922-Conf-Exp-Anx43; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 5 to 6.

² ICC-01/05-01/08-1922-Conf-Exp-Anx43, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, she was at the market when she was informed by her neighbours that her house, located in the [REDACTED] area of [REDACTED] was being pillaged by Jean-Pierre Bemba's Banyamulengués. 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 psychological and 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 the [REDACTED] area of [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, Jean-Pierre Bemba's Banyamulengués broke into his house, located in the area of [REDACTED] and pillaged his belongings. The applicant states that they also beat him. The

³ ICC-01/05-01/08-1922-Conf-Exp-Anx44; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 7 to 8.

⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx44, pages 4 to 5 and 9.

⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx45; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 9 to 10.

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 physical, 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 the [REDACTED] area of PK [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's armed Banyamulengués who were wearing military uniforms and speaking Lingala, arrived at her house, located in [REDACTED]. The applicant states that she took refuge in another village. The applicant states that upon her return five months later, all her belongings had been pillaged. 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.⁸

Analysis and conclusions

⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx45, pages 4 to 5 and 9.

⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx46; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 11 to 12.

⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx46, pages 4 to 5 and 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 an unspecified date as of 26 October 2002.

Applicant [REDACTED]

Claim to victim status

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

It is claimed that on 2 November 2002, Jean-Pierre Bemba's men broke into the applicant's house, located in the [REDACTED] area of [REDACTED] where the applicant was together with her mother, and they shot at and killed the applicant and afterwards pillaged the house. The person acting on behalf states that she fled and took refuge in the fields and that she returned four days later in order to take care of the applicant's body. The person acting on behalf of the applicant appends the applicant's death certificate signed and stamped by the *chef de village* which states that the death occurred on 2 November 2002 and a document in which the loss is listed and valued. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.¹⁰

Analysis and conclusions

⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx47; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 13 to 14.

¹⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx47, pages 4 to 5 and 9 to 10.

The Chamber notes a discrepancy of two months and three days in the date of birth of the person acting on behalf as appearing on 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 in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the person acting on behalf of the applicant. Therefore, the Chamber considers that the documents provided demonstrate both the identities of the applicant and her mother, who is acting on her behalf, as well as the kinship between them.

Having considered the application as a whole, 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 murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 2 November 2002.

Applicant [REDACTED]¹¹

Claim to victim status

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's armed Banyamulengués, who were wearing military uniforms and speaking Lingala, invaded the area and started shooting in the air. The applicant states that this caused him and his children to flee from their house, located in [REDACTED]. The applicant states that upon their return five months later, he found that his belongings had been pillaged. The applicant appends a document in which he

¹¹ ICC-01/05-01/08-1922-Conf-Exp-Anx48; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 15 to 16

lists and values his loss. As a result of the alleged events, the applicant claims to have suffered 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 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 27 October 2002.

Applicant [REDACTED]¹³

Claim to victim status

The applicant claims that on 29 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, invaded the area. The applicant states that this caused him to flee from his house, located in [REDACTED] and to hide in the fields. The applicant states that upon his return five months later, he found that his belongings and livestock had been pillaged. 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.¹⁴

Analysis and conclusions

¹² ICC-01/05-01/08-1922-Conf-Exp-Anx48, pages 4 to 5 and 9.

¹³ ICC-01/05-01/08-1922-Conf-Exp-Anx49; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 17 to 18.

¹⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx49, pages 4 to 5 and 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 as of 29 October 2002.

Applicant [REDACTED]⁵

Claim to victim status

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's men invaded the area causing him to flee and hide in the fields. The applicant states that upon his return to his house, located in [REDACTED] five months later he found that his belongings and livestock had been pillaged. 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.¹⁶

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

¹⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx50; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 19 to 20.

¹⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx50, pages 4 to 5 and 9.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]¹⁷

Claim to victim status

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

It is stated that on 25 November 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, invaded the area and entered the applicant's house, located in [REDACTED] and shot and killed him. A death certificate is appended stating that the death occurred on 25 November 2002. As a result of the alleged events, it is claimed that the applicant suffered physical harm.¹⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate both the identities of 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, 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 murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 25 November 2002.

¹⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx51; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 21 to 22.

¹⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx51, page 4 to 5.

Applicant [REDACTED]¹⁹**Claim to victim status**

The applicant claims that on 28 October 2002, the village of [REDACTED] was invaded by Jean-Pierre Bemba's armed men who were wearing military uniforms and speaking Lingala. The applicant states that she fled from her house, located in [REDACTED] to hide in the fields, 21 kilometres away. The applicant states that upon her return five months later, she found that her belongings had been pillaged. 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.²⁰

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. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the applicant form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that 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 as of 28 October 2002.

¹⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx52; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 23 to 24.

²⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx52, pages 4 to 5 and 9.

Applicant [REDACTED]²¹

Claim to victim status

The applicant claims that on 26 October 2002, when the armed Banyamulengués, who were wearing military uniforms and spoke Lingala, arrived at his house, he fled with his family from their house, located in [REDACTED] PK [REDACTED]. He states that upon their return, he discovered that his house had been pillaged. He adds that Jean-Pierre Bemba's men occupied his house for five months. 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.²²

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 26 October 2002.

Applicant [REDACTED]²³

Claim to victim status

²¹ ICC-01/05-01/08-1922-Conf-Exp-Anx53; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 25 to 26

²² ICC-01/05-01/08-1922-Conf-Exp-Anx53, pages 4 to 5 and 9.

²³ ICC-01/05-01/08-1922-Conf-Exp-Anx54; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 27 to 28.

The applicant claims that on 2 November 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, opened fire on his door and then broke inside his house, located in [REDACTED] causing him and his family to flee to the fields. The applicant states that upon their return five months later, he found that his belongings and livestock had been pillaged. 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.²⁴

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 2 November 2002.

Applicant [REDACTED]²⁵

Claim to victim status

The applicant claims that on 27 October 2002, he fled from his house, located in [REDACTED] before the arrival of Jean-Pierre Bemba's armed men, whom he identifies as wearing military uniforms and speaking Lingala, and took refuge five kilometres away. The applicant states that upon his return five months later, he discovered that his belongings and livestock had been pillaged. The applicant

²⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx54, pages 4 to 5 and 10.

²⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx55; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 29 to 30.

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.²⁶

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 27 October 2002.

Applicant [REDACTED]²⁷

Claim to victim status

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's men arrived at his house, located in [REDACTED] and demanded him to leave. The applicant states that when he refused one of the men opened fire and he and his family fled and took refuge in the fields, twenty kilometres away. The applicant states that upon their return five months later, he discovered that their belongings had been pillaged. 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.²⁸

Analysis and conclusions

²⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx55, pages 4 to 5 and 9.

²⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx56; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 31 to 32.

²⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx56, pages 4 to 5 and 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 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 26 October 2002.

Applicant [REDACTED]²⁹

Claim to victim status

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, broke into their house, located in [REDACTED] causing them to flee to the fields. The applicant states that upon their return five months later, her belongings had been pillaged. 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.³⁰

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

²⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx57; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 33 to 34.

³⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx57, pages 4 to 5 and 9.

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

Applicant [REDACTED]³¹

Claim to victim status

The applicant claims that in November 2002, the Banyamulengués came to her house, located in the [REDACTED] area, PK [REDACTED]. The applicant states that they pillaged all her belongings and made holes in her roof with bullets. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³²

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 PK [REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]³³

Claim to victim status

³¹ ICC-01/05-01/08-1922-Conf-Exp-Anx58; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 35 to 36.

³² ICC-01/05-01/08-1922-Conf-Exp-Anx58, pages 9 to 11 and 18 to 19.

³³ ICC-01/05-01/08-1922-Conf-Exp-Anx59; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 37 to 38.

The applicant claims that on 23 November 2002, five of Mr Bemba's soldiers came to her house, located in the [REDACTED] area of Bangui. The applicant states that they raped her as well as her three daughters and that the soldiers used them as their wives for almost a week and made them cook. She states that the Banyamulengués established their base in her house for a week and used it to store looted goods before taking them to the Oubangui River. She adds that they pillaged her house. The applicant lists her loss. She also states that her husband left her because of these events. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁴

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 and the kinship with her three daughters, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on an unspecified date as of 23 November 2002.

Applicant [REDACTED]³⁵

Claim to victim status

³⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx59, pages 4 to 5.

³⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx60; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 39 to 40.

The applicant claims that on 22 November 2002, Mr Bemba's men came to her house, located in the [REDACTED] area of Bangui. She states that when she returned from the market to her house she saw the soldiers who were taking her belongings and fled together with her children. She adds that upon her return, her house had been pillaged. She lists and values her loss. The applicant further states that a young boy had been killed next to her house. As a result of the alleged events, the applicant claims to have suffered material harm.³⁶

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 Bangui on 22 November 2002.

Applicant [REDACTED]³⁷

Claim to victim status

The applicant claims that on 26 November 2002, Mr Bemba's armed men came to her house, located in the [REDACTED] area of [REDACTED]. She states that she fled and that the Banyamulengués broke the door of her house and pillaged her belongings and merchandise. She lists and values her loss. As a result of the

³⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx60, pages 4 to 5.

³⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx61; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 41 to 42.

alleged events, the applicant claims to have suffered psychological and material harm.³⁸

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] Bangui on an unspecified date as of 26 November 2002.

Applicant [REDACTED]³⁹

Claim to victim status

The applicant claims that on 28 November 2002, she was drawing water with her two sisters when four of Mr Bemba's armed men came to the area of [REDACTED] [REDACTED]. She states that they were shooting in the air, that they threw her on the ground and undressed her and that two of them raped her one after the other and that she lost consciousness. She alleges that her sisters were also raped. She claims that the soldiers pillaged her belongings and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁰

³⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx61, pages 4 to 5.

³⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx62; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 43 to 44.

⁴⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx62, pages 4 to 5.

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 two sisters and the kinship between them, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 November 2002.

Applicant [REDACTED]⁴¹

Claim to victim status

The applicant claims that on 24 November 2002, when Mr Bemba's soldiers came to the [REDACTED] area of Bangui, she fled to the fields, ten kilometres away from [REDACTED]. The applicant states that upon her return, she found that her three houses had been pillaged and destroyed. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²

Analysis and conclusions

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

⁴¹ ICC-01/05-01/08-1922-Conf-Exp-Anx63; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 45 to 46.

⁴² ICC-01/05-01/08-1922-Conf-Exp-Anx63, 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 the [REDACTED] area of Bangui on an unspecified date as of 24 November 2002.

Applicant [REDACTED]⁴³

Claim to victim status

The applicant claims that when Mr Bemba's soldiers came to the [REDACTED] area of Bangui, she fled from her house to take refuge in the fields, seven kilometres away, together with her family. She claims that when she returned two days later, three soldiers raped her one after the other in front of her children. The applicant further states that the soldiers pillaged her belongings. She states that the events happened on 24 November 2002. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁴

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

⁴³ ICC-01/05-01/08-1922-Conf-Exp-Anx64; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 47 to 48.

⁴⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx64, pages 4 to 5.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 24 November 2002.

Applicant [REDACTED]⁴⁵

Claim to victim status

The applicant claims that on 24 November 2002, when the Banyamulengués invaded [REDACTED] he fled from his house to take refuge at his uncle's house in the field, located twelve kilometres away. He states that upon his return, he found that his house had been pillaged and destroyed and inside his house, he found the corpse of a woman. He states that he and other people took her body to the cemetery. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁶

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] Bangui on an unspecified date as of 24 November 2002.

⁴⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx65; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 49 to 50.

⁴⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx65, pages 4 to 5.

Applicant [REDACTED]⁴⁷

Claim to victim status

The applicant claims that on 24 November 2002, when Mr Bemba's soldiers invaded his area, he fled from his house located in [REDACTED] to take refuge in the fields, together with his family. He states that upon his return three days later, he found that his house had been pillaged and destroyed. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁸

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] Bangui on an unspecified date between 24 and 27 November 2002.

Applicant [REDACTED]⁴⁹

Claim to victim status

The applicant claims that on 23 November 2002, when Mr Bemba's men came to [REDACTED] he fled from his house to take refuge in the fields, together with his

⁴⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx67; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 53 to 54.

⁴⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx67, pages 4 to 5.

⁴⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx68; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 55 to 56.

family. He states that upon his return, he found that his two houses and his livestock had been pillaged and destroyed. He further states that he found the corpse of a woman behind his house. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁰

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] Bangui on an unspecified date as of 23 November 2002.

Applicant [REDACTED]⁵¹

Claim to victim status

The applicant claims that on 24 November 2002, she was with her father and her younger brother when three of Mr Bemba's men came to her house located in [REDACTED]. She states that they asked her father to give them money and when he refused they raped her one after the other. She states that she subsequently became ill and pregnant. She further states that the men pillaged all her belongings. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²

⁵⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx68, pages 4 to 5.

⁵¹ ICC-01/05-01/08-1922-Conf-Exp-Anx69; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 57 to 58.

⁵² ICC-01/05-01/08-1922-Conf-Exp-Anx69, 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 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] Bangui on 24 November 2002.

Applicant [REDACTED]⁵³

Claim to victim status

The applicant claims that on 24 November 2002, when Mr Bemba's armed men came to the [REDACTED] area of Bangui, she fled from her house, together with her children. She states that upon her return, she found that her five houses had been pillaged and destroyed. She lists and values her loss. She further alleges that her daughter was raped. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁴

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 and kinship with her daughter, only pillage will be considered for the purpose of the present assessment.

⁵³ ICC-01/05-01/08-1922-Conf-Exp-Anx70; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 59 to 60.

⁵⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx70, 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 the [REDACTED] area of Bangui on an unspecified date as of 24 November 2002.

Applicant [REDACTED]⁵⁵

Claim to victim status

The applicant claims that on 13 March 2003, eighteen Banyamulengués who were speaking Lingala and English came to his house, located in [REDACTED] [REDACTED]. He states that the soldiers beat him, tied him to a mango tree, pillaged his house and killed his livestock. He further states that four of Jean-Pierre Bemba's men raped his two daughters in front of him. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁶

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 and kinship with his two daughters, 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

⁵⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx94; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 61 to 62.

⁵⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx94, 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 13 March 2003.

Applicant [REDACTED]⁵⁷

Claim to victim status

The applicant claims that on 13 March 2003, fifteen Banyamulengués who were speaking Lingala came to his house, located in [REDACTED]. He states that the soldiers tied him up, beat his children and urinated on them. He also states that three of Jean-Pierre Bemba's men raped his wife, and two of them raped his two sisters before pillaging his house. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸

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 and the kinship with his wife and his two 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 13 March 2003.

⁵⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx95; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 63 to 64.

⁵⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx95, pages 4 to 5.

Applicant [REDACTED]⁵⁹

Claim to victim status

The applicant claims that on 5 December 2002, ten Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. He states that they took him hostage, tied him up and threatened him. He claims that they pillaged his belongings. 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.⁶⁰

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 5 December 2002.

Applicant [REDACTED]⁶¹

Claim to victim status

The applicant claims that on 15 January 2003, when eight Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] her family fled but due to her corpulence, she was unable to flee. She states that Jean-Pierre Bemba's men

⁵⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx96; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 65 to 66.

⁶⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx96, pages 4 to 5 and 9.

⁶¹ ICC-01/05-01/08-1922-Conf-Exp-Anx97; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 67 to 68.

pushed her to the ground in order to rape her but three of them refused to do so and the soldiers pillaged her house instead. She 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.⁶²

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 15 January 2003.

Applicant [REDACTED]⁶³

Claim to victim status

The applicant claims that in November 2002, when the Banyamulengués invaded her area, she fled from her house located in PK [REDACTED] to PK [REDACTED]. She states that on her way to PK [REDACTED], a group of Jean-Pierre Bemba's soldiers intercepted her and raped her in front of an old house. She states that she was set free when their chief arrived and heard her complaints. She adds that she had heard of two Muslim women and one Central African woman who had also been intercepted by a

⁶² ICC-01/05-01/08-1922-Conf-Exp-Anx97, pages 4 to 5 and 8.

⁶³ ICC-01/05-01/08-1922-Conf-Exp-Anx98; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 69 to 70.

group of Banyamulengués to be raped. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁶⁴

Analysis and conclusions

The Chamber notes a discrepancy of seventeen days between the date of birth as appearing on 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 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 her rape by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]⁶⁵

Claim to victim status

The applicant claims that between 25 and 30 October 2002, when the Banyamulengués came to her area, she fled from her house, located in Bangui, PK[REDACTED]. She states that all her belongings in the house were pillaged during her

⁶⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx98, pages 4 to 5.

⁶⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx99; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 71 to 72.

absence. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶

Analysis and conclusions

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

The Chamber considers that 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 PK[REDACTED] on an unspecified date between on or about 26 October and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that between 26 and 30 October 2002, when the Banyamulengués came to his area, he fled from his house, located in Bangui, PK[REDACTED], to safer areas. He states that all his belongings were pillaged during his absence. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁸

Analysis and conclusions

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

⁶⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx99, pages 3 and 5.

⁶⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx100; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 73 to 74.

⁶⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx100, 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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]⁶⁹

Claim to victim status

The applicant claims that between 25 and 30 October 2002, six armed Banyamulengués speaking Lingala came to her house, located in Bangui. The applicant states that she was nine years old at that time and that she was alone in her house. The applicant states that the soldiers first asked her about where her father and mother were. She states that the soldiers tied her under her bed and took her money and pillaged the house. As a result of the alleged events the applicant claims to have suffered 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 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-

⁶⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx101; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 75 to 76.

⁷⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx101, pages 4 to 5.

Pierre Bemba in Bangui on an unspecified date between on or about 26 October and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that between 25 and 30 October 2002 he fled from his house, located in Bangui. The applicant states that upon his return, he found that his house had been pillaged in his absence. The applicant lists his loss. He holds Jean-Pierre Bemba responsible for the events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷²

Analysis and conclusions

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

Under these circumstances, 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 on an unspecified date between on or about 26 October and 30 October 2002.

Applicant [REDACTED]⁷³

Claim to victim status

⁷¹ ICC-01/05-01/08-1922-Conf-Exp-Anx102; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 77 to 78.

⁷² ICC-01/05-01/08-1922-Conf-Exp-Anx102, page 4 to 5.

⁷³ ICC-01/05-01/08-1922-Conf-Exp-Anx103; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 79 to 80.

The applicant claims that between 25 and 30 October 2002, eight of Mr Bemba's soldiers came to her house, located in Bangui. The applicant states that they insulted her, pillaged her belongings and asked her to leave her house. She lists her loss. She also states that she fled to [REDACTED] together with her children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁴

Analysis and conclusions

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

The Chamber considers that 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 Bangui on an unspecified date between on or about 26 October and 30 October 2002.

Applicant [REDACTED]⁷⁵

Claim to victim status

The applicant claims that between 26 and 30 October 2002, when the Banyamulengués came to his area, he fled from his house, located in Bangui, together with his family. He states that upon his return, he found that his belongings and his livestock had been pillaged. The applicant lists his loss. As a

⁷⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx103, pages 4 to 5.

⁷⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx104; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 81 to 82.

result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁶

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]⁷⁷

Claim to victim status

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, broke into their house, located in [REDACTED]. She states that they demanded money which her husband was able to give. She states that while the men began to pillage their belongings, they fled and took refuge in the fields and upon their return five months later, she discovered that her belongings and livestock had been pillaged. 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.⁷⁸

Analysis and conclusions

⁷⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx104, pages 4 to 5.

⁷⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx105; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 83 to 84.

⁷⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx105, pages 4 to 5 and 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 an unspecified date on and as of 28 October 2002.

Applicant [REDACTED]⁷⁹

Claim to victim status

The applicant claims that on 26 October 2002, around ten of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, broke into his house, located in [REDACTED] causing him and his family to flee. The applicant states that they committed crimes in his village, including pillage, rape and sexual violence. The applicant states that upon their return five months later, he discovered that his belongings had been pillaged. 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.⁸⁰

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

⁷⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx106; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 85 to 86.

⁸⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx106, pages 4 to 5 and 9.

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 26 October 2002.

Applicant [REDACTED]⁸¹

Claim to victim status

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, broke into her house, located in [REDACTED] causing her to flee. The applicant states that upon her return five months later, she found that her belongings and livestock had been pillaged. 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.⁸²

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 26 October 2002.

⁸¹ ICC-01/05-01/08-1922-Conf-Exp-Anx107; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 87 to 88.

⁸² ICC-01/05-01/08-1922-Conf-Exp-Anx107, pages 4 to 5 and 9.

Applicant [REDACTED]⁸³

Claim to victim status

The applicant claims that on 28 October 2002, while she was working in a store selling drinks, located in Bangui, PK [REDACTED] on the road to [REDACTED] Jean-Pierre Bemba's Banyamulengués arrived. The applicant states that they demanded in Lingala where the boss of the store was and she answered that he was on a trip. The applicant states that she was undressed and her legs were spread by force and nine of the rebels raped her in front of her little brother. She states that they pillaged a sum of money. The applicant adds that the rebels infected her with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁴

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 Bangui on 28 October 2002.

Applicant [REDACTED]⁸⁵

Claim to victim status

⁸³ ICC-01/05-01/08-1922-Conf-Exp-Anx108; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 89 to 90.

⁸⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx108, pages 4 to 5.

⁸⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx109; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 91 to 92.

The applicant claims that on 28 October 2002, around ten of Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala, arrived at his house, located in [REDACTED]. The applicant states that they started shooting in the air and at his wall causing his wife and children and himself to flee to different locations. The applicant states that upon their return five months later, he discovered that his belongings and livestock had been pillaged. 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.⁸⁶

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 28 October 2002.

Applicant [REDACTED]⁸⁷

Claim to victim status

The applicant claims that between 29 October 2002 and 7 November 2002, he and his family fled from his house, located in the [REDACTED] area of [REDACTED]. The applicant states that upon their return, he discovered that Jean-Pierre Bemba's Banyamulengués had pillaged his belongings. The applicant appends a

⁸⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx109, pages 4 to 5 and 10.

⁸⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx110; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 93 to 94.

document in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁸

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 as of 29 October 2002.

Applicant [REDACTED]⁸⁹

Claim to victim status

The applicant claims that between 29 October and 7 November 2002, he and his family fled from their house, located in [REDACTED] PK[REDACTED]. The applicant states that Jean-Pierre Bemba's men pillaged his belongings. The applicant appends a document in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁰

Analysis and conclusions

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

⁸⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx110, pages 4 to 5 and 10.

⁸⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx111; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 95 to 96.

⁹⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx111, pages 4 to 5 and 10.

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 29 October 2002.

Applicant [REDACTED]⁹¹

Claim to victim status

The applicant claims that between 29 October and 7 November 2002, she and her family fled from their house, located in the [REDACTED] area of PK [REDACTED], after being beaten. She states that Jean-Pierre Bemba's armed Banyamulengués pillaged her belongings. She appends a document in which her loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹²

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 PK [REDACTED] on an unspecified date as of 29 October 2002.

⁹¹ ICC-01/05-01/08-1922-Conf-Exp-Anx112; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 97 to 98.

⁹² ICC-01/05-01/08-1922-Conf-Exp-Anx112, pages 4 to 5 and 8.

Applicant [REDACTED]⁹³

Claim to victim status

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's Banyamulengués occupied her compound, located in [REDACTED] PK[REDACTED]. The applicant states that they sold pillaged belongings to courageous people willing to buy them on the streets. She states that they used some of her belongings as fire wood. She further states that she fled and upon her return, she found that her belongings had been pillaged. 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.⁹⁴

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 26 October 2002.

Applicant [REDACTED]⁹⁵

Claim to victim status

⁹³ ICC-01/05-01/08-1922-Conf-Exp-Anx113; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 99 to 100.

⁹⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx113, pages 4 to 5 and 8.

⁹⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx114; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 101 to 102.

The applicant claims that on 2 November 2002, Mr Bemba's Banyamulengués broke into his shop, located in [REDACTED] on the route to [REDACTED] and pillaged his belongings. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁶

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 2 November 2002.

Applicant [REDACTED]⁹⁷

Claim to victim status

The applicant claims that on 1 November 2002, her husband and children fled from their house, located in the [REDACTED] area of [REDACTED] PK [REDACTED], to hide in the bush. She states that Mr Bemba's Banyamulengués arrived at her compound and pillaged her belongings. She adds that three of the men raped her one after the other causing her husband to later abandon her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁸

⁹⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx114, pages 4 to 5.

⁹⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx115; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 103 to 104.

⁹⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx115, 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 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 the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁹⁹

Claim to victim status

The applicant claims that on 1 November 2002, seven of Jean-Pierre Bemba's Banyamulengués arrived in her house, located in the [REDACTED] area of PK [REDACTED], on the route to [REDACTED]. She states that five of the rebels raped her one after the other. She also states that they told her younger family member to do the same and when he refused, they beat him until he was half dead. The applicant states that they pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁰

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. However, given that the remainder of the information provided in

⁹⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx116; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 105 to 106.

¹⁰⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx116, pages 4 to 5.

the birth certificate is consistent with the data entered in the applicant form, the 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 1 November 2002.

Applicant [REDACTED]¹⁰¹

Claim to victim status

The applicant claims that on 7 November 2002, Mr Bemba's Banyamulengués broke into his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED], and pillaged his and his family's belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰²

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

¹⁰¹ ICC-01/05-01/08-1922-Conf-Exp-Anx117; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 107 to 108.

¹⁰² ICC-01/05-01/08-1922-Conf-Exp-Anx117, pages 4 to 5.

accused, namely the pillage of his belongings, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 7 November 2002.

Applicant [REDACTED]¹⁰³

Claim to victim status

The applicant claims that on 7 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED], on the road to [REDACTED]. The applicant states that they beat him and his younger brother and pillaged his and his family's belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁰⁴

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 to the extent of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 7 November 2002.

¹⁰³ ICC-01/05-01/08-1922-Conf-Exp-Anx118; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 109 to 110.

¹⁰⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx118, pages 4 to 5.

Applicant [REDACTED]¹⁰⁵

Claim to victim status

The applicant claims that between 25 and 30 October, she and her family were displaced from their house, located in Bangui. The applicant states that her house was pillaged by Jean-Pierre Bemba's men during her absence. The applicant states that her daughter died three weeks after the events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁶

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁰⁷ the accused is charged with the crimes of murder, rape and pillage committed from "on or about" 26 October 2002 to 15 March 2003. 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 Bangui on an unspecified date between 26 October 2002 and 30 October 2002.

¹⁰⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx119; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 111 to 112.

¹⁰⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx119, pages 4 to 5.

¹⁰⁷ 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.

Applicant [REDACTED]¹⁰⁸

Claim to victim status

The applicant claims that between 25 October and 30 October 2002, he fled to the bush where he stayed for one month. The applicant states that during his absence, Jean-Pierre Bemba's soldiers broke into his house, located in Bangui, destroyed it and pillaged his belongings. He states that this caused his divorce from his wife. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁹

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹¹⁰ the accused is charged with the crimes of murder, rape and pillage committed from "on or about" 26 October 2002 to 15 March 2003. Under these circumstances, 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 on an unspecified date as of 26 October 2002.

¹⁰⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx120; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 113 to 114.

¹⁰⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx120, pages 4 to 5.

¹¹⁰ 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.

Applicant [REDACTED]¹¹¹

Claim to victim status

The applicant claims that between 26 and 30 October 2002, six Banyamulengués came to his shop located in the [REDACTED] [REDACTED], PK [REDACTED], Bangui, and told him to leave. He states that he fled with his three children. He states that during his absence, the products in his shop were pillaged and the shop destroyed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹²

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] [REDACTED] of Bangui on an unspecified date as of 26 October 2002.

Applicant [REDACTED]¹¹³

Claim to victim status

¹¹¹ ICC-01/05-01/08-1922-Conf-Exp-Anx121; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 115 to 116.

¹¹² ICC-01/05-01/08-1922-Conf-Exp-Anx121, pages 4 to 5.

¹¹³ ICC-01/05-01/08-1922-Conf-Exp-Anx122; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 117 to 118.

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house located in [REDACTED] PK [REDACTED]. The applicant states that she took refuge in [REDACTED]. She adds that upon her return five months later, all of her belongings were gone. 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.¹¹⁴

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 26 October 2002.

Applicant [REDACTED]¹¹⁵

Claim to victim status

The applicant claims that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniform and speaking Lingala, broke into her house located in the [REDACTED] area of [REDACTED] PK [REDACTED]. The applicant states that they pointed their guns at her and her children while they pillaged her belongings. She states that she fled the next day and took refuge in the area of [REDACTED] for

¹¹⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx122, pages 4 to 5 and 8.

¹¹⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx123; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 119 to 120.

five months. She states that upon her return, she discovered that all her belongings and livestock were gone. She 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.¹¹⁶

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 on and as of 26 October 2002.

Applicant [REDACTED]¹¹⁷

Claim to victim status

The applicant claims that on 7 November 2002, while she was at her sister's husband's house, located in PK [REDACTED], she was raped by three Banyamulengués. She claims that her sister, who was ill at that time, was raped by five Banyamulengués. She adds that their belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.¹¹⁸

¹¹⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx123, pages 4 to 5 and 9.

¹¹⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx125; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 121 to 122.

¹¹⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx125, pages 4 to 5.

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 and kinship with her sister, only the applicant's rape and 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 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, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on 7 November 2002.

Applicant [REDACTED]¹¹⁹

Claim to victim status

The applicant claims that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house located in Bangui, PK[REDACTED], and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁰

Analysis and conclusions

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

¹¹⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx126; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 123 to 124.

¹²⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx126, 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 Bangui on 8 November 2002.

Applicant [REDACTED]¹²¹

Claim to victim status

The applicant claims that on 8 November 2002, in the [REDACTED] area of Bangui, the Banyamulengués, who were very different from the FACA and wore military uniforms and spoke a different language, came to his house and pillaged all of his belongings and beat him with a belt. The applicant states that the Banyamulengués also killed and raped people, and that luckily his children and their mother were hiding, otherwise they too would have been raped. He lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹²²

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

¹²¹ ICC-01/05-01/08-1922-Conf-Exp-Anx127; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 125 to 126.

¹²² ICC-01/05-01/08-1922-Conf-Exp-Anx127, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 8 November 2002.

Applicant [REDACTED]¹²³

Claim to victim status

The applicant claims that on 15 November 2002, when she saw a group of Mr Bemba's soldiers, who were speaking Lingala, approaching her house located in the [REDACTED] area of [REDACTED] she fled to the bush. She adds that upon her return three weeks later, she discovered that all of her belongings had been taken by Mr Bemba's men. 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.¹²⁴

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 as of 15 November 2002.

¹²³ ICC-01/05-01/08-1922-Conf-Exp-Anx130; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 127 to 128.

¹²⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx130, pages 4 to 5 and 8.

Applicant [REDACTED]¹²⁵

Claim to victim status

The applicant claims that on 7 November 2002, she was with her family at her compound, located in PK [REDACTED], on the road to [REDACTED] when three Banyamulengués entered. She states that one of them was threatening her husband with a gun whilst two others raped her one after the other. Once the rape was over, she and her children took refuge at their parent's house, while her husband stayed behind. The applicant states that the soldiers returned the next day, on 8 November 2002, and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.¹²⁶

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 PK [REDACTED] on 7 and 8 November 2002.

Applicant [REDACTED]¹²⁷

Claim to victim status

¹²⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx132; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 129 to 130.

¹²⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx132, pages 4 to 5.

¹²⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx134; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 131 to 132.

The applicant claims that on 10 March 2003, while he and his wife were away, the armed Banyamulengués came to his house located in [REDACTED]. He states that they threatened his six children and pillaged his belongings. 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.¹²⁸

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 10 March 2003.

Applicant [REDACTED]¹²⁹

Claim to victim status

The applicant claims that on 3 November 2002, while Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, had taken control of [REDACTED] she and her daughter fled from their house. She states that upon her return five months later, she discovered that all of her belongings had been taken away. She appends a document in which she lists and values her loss.

¹²⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx134, pages 4 to 5 and 8 to 9.

¹²⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx135; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 133 to 134.

As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁰

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 3 November 2002.

Applicant [REDACTED]¹³¹

Claim to victim status

The applicant claims that on 26 October 2002, the armed men of Jean-Pierre Bemba, who were wearing military uniforms and speaking Lingala, entered her house, located in [REDACTED] and she fled with her family to the fields. She states that upon her return five months later, she discovered that her belongings had been taken away from her house. 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.¹³²

Analysis and conclusions

¹³⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx135, pages 4 to 5 and 8.

¹³¹ ICC-01/05-01/08-1922-Conf-Exp-Anx136; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 135 to 136.

¹³² ICC-01/05-01/08-1922-Conf-Exp-Anx136, pages 4 to 5 and 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 an unspecified date as of 26 October 2002.

Applicant [REDACTED]¹³³

Claim to victim status

The applicant claims that on 3 November 2002, approximately ten armed men of Jean-Pierre Bemba speaking Lingala and dressed in military uniform entered her house, located in [REDACTED]. She states that they pointed their weapons at her and her family and pillaged all of their belongings. She states that, after these events, they fled to the [REDACTED] area where they stayed during five months. She 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.¹³⁴

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

¹³³ ICC-01/05-01/08-1922-Conf-Exp-Anx137; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 137 to 138.

¹³⁴ ICC-01/05-01/08-1922-Conf-Exp-Anx137, pages 4 to 5 and 8.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]¹³⁵

Claim to victim status

The applicant states that in January 2003, the Banyamulengués entered his house, located in [REDACTED] and shot twice in the air. He alleges that they forced him to give them money and when he refused, five men raped his two eldest daughters, who bled for three days afterwards. He states that they pillaged all of his belongings and broke one of his son's ribs with the butt of their weapons. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁶

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 and the kinship with his daughters, 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] Ombella on an unspecified date in January 2003.

¹³⁵ ICC-01/05-01/08-1922-Conf-Exp-Anx282; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 139 to 140.

¹³⁶ ICC-01/05-01/08-1922-Conf-Exp-Anx282, pages 4 to 5.

Applicant [REDACTED]¹³⁷

Claim to victim status

The applicant states that in January 2003, the Banyamulengués entered his house, located in the [REDACTED] village, PK [REDACTED], asking in Lingala for money and food. He states that they raped his wife, who afterwards lost consciousness for three days, and his two daughters. He adds that they beat him with the butt of their weapons. He also states that before leaving, they pillaged all his belongings and damaged his house. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³⁸

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 daughters and his wife 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] PK [REDACTED] on an unspecified date in January 2003.

Applicant [REDACTED]¹³⁹

¹³⁷ ICC-01/05-01/08-1922-Conf-Exp-Anx283; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 141 to 142.

¹³⁸ ICC-01/05-01/08-1922-Conf-Exp-Anx283, pages 4 to 5.

¹³⁹ ICC-01/05-01/08-1922-Conf-Exp-Anx284; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 143 to 144.

Claim to victim status

The applicant states that in January 2003, ten of Mr Bemba's men, who were speaking Lingala and French, entered her house, located in the [REDACTED] village, PK [REDACTED] asking for money and food and when she said that she had none, they proceeded to beat her husband and her children. She states that they raped her, causing her to bleed and lose consciousness. Furthermore, she states that they pillaged her belongings. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁰

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] PK [REDACTED] on an unspecified date in January 2003.

Applicant [REDACTED]¹⁴¹

Claim to victim status

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

¹⁴⁰ ICC-01/05-01/08-1922-Conf-Exp-Anx284, pages 4 to 5.

¹⁴¹ ICC-01/05-01/08-1922-Conf-Exp-Anx348; ICC-01/05-01/08-1925-Conf-Exp-Anx3, pages 3 to 4.

It is stated that in November 2002, the applicant went to visit his sick brother when the Banyamulengués arrived in PK[REDACTED]. It is claimed that when the applicant heard about the Banyamulengués' attack, he tried to come back home, but he fell, broke his feet and his pelvis and died two weeks later. The person acting on behalf further states that her belongings and money were pillaged. She adds that because of the alleged events she suffered a miscarriage and can no longer bear children. She appends a death certificate certifying that the death occurred on [REDACTED] February 2010. As a result of the alleged events, it is claimed that the applicant suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological and material harm.¹⁴²

Analysis and conclusions

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

The Chamber notes that the person acting of behalf of the applicant states that when he heard the Banyamulengués, the applicant fled and during his flight, he fell and subsequently died. Further, it is stated on the applicant's death certificate that the death occurred on [REDACTED] February 2010. In the absence of any indication that the death of the applicant is related to an act committed by the Banyamulengués, the Chamber is of the view that no crime falling under the scope of the charges has been committed towards the applicant and therefore only pillage of the person acting on behalf's belongings will be considered for the purpose of the present assessment.

¹⁴² ICC-01/05-01/08-1922-Conf-Exp-Anx348, pages 9 to 11, 22 and 24 to 25.

Having considered the application as a whole, the Chamber considers that, overall, the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a), on that basis 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 PK [REDACTED] on an unspecified date in November 2002.

o Eighteenth transmission - ICC-01/05-01/08-1978-Conf-Exp-Anxs

Applicant [REDACTED]¹⁴³

Claim to victim status

The applicant claims that in the beginning of November 2002, she was seven months pregnant when the Banyamulengués attacked PK [REDACTED]. She states that the Congolese rebels came to fight Mr Bozizé's rebels and the sounds of heavy weapons caused her to have a miscarriage. She states that when Jean-Pierre Bemba's Banyamulengués arrived, she fled but came across a group who took her belongings. She lists her loss. As a result of the alleged events the applicant claims to have suffered material harm.¹⁴⁴

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

¹⁴³ ICC-01/05-01/08-1978-Conf-Exp-Anx6; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 99 to 100.

¹⁴⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx6, pages 4 to 5.

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 PK [REDACTED] on an unspecified date as of November 2002.

Applicant [REDACTED]¹⁴⁵

Claim to victim status

The applicant states that on 15 March 2003, in the [REDACTED] area, the armed Banyamulengués, who were armed and were wearing military uniforms, entered his house and he took refuge at a neighbour's house with his wife and two children. He states that they pillaged and took away all his belongings. The applicant also appends a list of both his looted belongings and the looted belongings of the [REDACTED] a company [REDACTED] the applicant, where the belongings are listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁶

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 Bangui on 15 March 2003.

¹⁴⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx7; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 101 to 102.

¹⁴⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx7, pages 4 to 5 and 9 to 12.

Applicant [REDACTED]¹⁴⁷

Claim to victim status

The applicant claims that on 20 November 2002 Jean-Pierre Bemba's Banyamulengués came to [REDACTED] PK [REDACTED] and came to her house asking for money. The applicant states that because she did not have any money, five Banyamulengués beat her, raped her and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁸

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 20 November 2002.

Applicant [REDACTED]¹⁴⁹

Claim to victim status

The applicant claims that on 23 November 2002, the armed troops of Jean-Pierre Bemba arrived at his house in [REDACTED] PK [REDACTED] while he was not at home. The applicant states that they pillaged his belongings and then burned the door. As a

¹⁴⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx8; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 103 to 104.

¹⁴⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx8, pages 4 to 5 and 9.

¹⁴⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx9; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 105 to 106.

result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵⁰

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 pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 November 2002.

Applicant [REDACTED]¹⁵¹

Claim to victim status

The applicant claims that on 22 November 2002, Jean-Pierre Bemba's Banyamulengués came to his shop in [REDACTED] PK [REDACTED] and asked him for money. The applicant states that he gave them a sum of money and goods from the store. He adds that two days later, on 24 November 2002, they returned and pillaged all the goods from the store. As a result of the alleged events the applicant claims to have suffered material harm.¹⁵²

Analysis and conclusions

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

¹⁵⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx9, pages 4 to 5.

¹⁵¹ ICC-01/05-01/08-1978-Conf-Exp-Anx10; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 107 to 108.

¹⁵² ICC-01/05-01/08-1978-Conf-Exp-Anx10, pages 4 to 5 and 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 pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 22 and 24 November 2002.

Applicant [REDACTED]¹⁵³

Claim to victim status

The applicant claims that on 15 November 2002, Jean-Pierre Bemba's Banyamulengués came to her house, located in [REDACTED] PK [REDACTED]. She states that she gave them water and that one Banyamulengué asked if she would become his woman. She further states that she told him that she was married and that her husband was on a trip. She claims that four Banyamulengués then bound her and raped her. She adds that as a result of this incident she contracted HIV and her husband separated from her. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁵⁴

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

¹⁵³ ICC-01/05-01/08-1978-Conf-Exp-Anx11; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 109 to 110.

¹⁵⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx11, pages 4 to 5 and 9.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]¹⁵⁵

Claim to victim status

The applicant claims that on 5 November 2002, Jean-Pierre Bemba's armed troops came to his house, located in [REDACTED] PK [REDACTED] where they stayed for one week. The applicant states that they took all his belongings, ate his goats and chickens and raped his sister and his mother. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵⁶

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 and the kinship with his sister and his mother, 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 as of 5 November 2002.

Applicant [REDACTED]¹⁵⁷

¹⁵⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx12; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 111 to 112.

¹⁵⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx12, pages 4 to 5 and 9.

¹⁵⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx13; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 113 to 114.

Claim to victim status

The applicant claims that on 17 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED]. He states that they asked him to have sex with his daughter, which he refused to do. He claims that they then beat him and raped his daughter, resulting in her pregnancy and miscarriage. He adds that they pillaged his belongings. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹⁵⁸

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 and the kinship with his daughter, 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 the [REDACTED] area of [REDACTED] on 17 November 2002.

Applicant [REDACTED]¹⁵⁹

Claim to victim status

The applicant claims that on 20 November 2002, Jean-Pierre Bemba's armed troops, who were speaking the language of their country, arrived at her house,

¹⁵⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx13, pages 4 to 5.

¹⁵⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx14; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 115 to 116.

located in [REDACTED] [REDACTED] She states that they asked her to be their woman, which she refused. She adds that one of the four soldiers then raped her. She claims that she contracted HIV. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁶⁰

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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 20 November 2002.

Applicant [REDACTED]¹⁶¹

Claim to victim status

The applicant claims that on 28 November 2002, the armed troops of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] and asked for his wife. The applicant states that he replied that his wife was at the mortuary. He states that six Banyamulengués raped him and beat him. He states that they also took his belongings. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹⁶²

Analysis and conclusions

¹⁶⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx14, pages 4 to 5.

¹⁶¹ ICC-01/05-01/08-1978-Conf-Exp-Anx15; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 117 to 118.

¹⁶² ICC-01/05-01/08-1978-Conf-Exp-Anx15, 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 his rape and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 November 2002.

Applicant [REDACTED]¹⁶³

Claim to victim status

The applicant claims that on 5 December 2002, the Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] where she was with her children. She states that they asked for her husband, and when she told them he was at the hospital, they demanded money from her. She states that when she responded that she did not have any money, five of the men raped her. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁶⁴

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

¹⁶³ ICC-01/05-01/08-1978-Conf-Exp-Anx16; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 119 to 120.

¹⁶⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx16, pages 4 to 5.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 5 December 2002.

Applicant [REDACTED]¹⁶⁵

Claim to victim status

The applicant claims that on 7 November 2002, the Banyamulengués occupied the [REDACTED] area of PK [REDACTED]. He states that he fled with his family from their house and took refuge in [REDACTED]. He claims that upon his return, he discovered that his belongings and money had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁶

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 PK [REDACTED] on an unspecified date as of 7 November 2002.

Applicant [REDACTED]¹⁶⁷

¹⁶⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx29; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 121 to 122.

¹⁶⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx29, pages 4 to 5.

¹⁶⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx44; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 123 to 124.

Claim to victim status

The applicant claims that on 8 November 2002, when Jean-Pierre Bemba's Banyamulengués occupied Bangui, they pillaged some belongings at his work, located in the PK [REDACTED], as well as those of his clients whom he still cannot to this day reimburse. He states that he fled with his family to the [REDACTED] village, located on the road to [REDACTED]. He states that upon his return, he discovered that his personal belongings were pillaged from the house he rented, located in [REDACTED]. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁸

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, to the extent of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date on and as of 8 November 2002.

Applicant [REDACTED]¹⁶⁹

Claim to victim status

The applicant claims that between 25 and 30 October 2002, he fled and took refuge in the bush. He states that upon his return, he found that his storage

¹⁶⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx44, pages 4 to 5.

¹⁶⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx61; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 125 to 126.

place, located in the PK [REDACTED] of Bangui, had been pillaged by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁰

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁷¹ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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 PK [REDACTED] of Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁷²

Claim to victim status

The applicant claims that between 25 and 30 October 2002, ten of Jean-Pierre Bemba’s troops blocked her in her house, located in Bangui. She states that they

¹⁷⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx61, pages 4 to 5.

¹⁷¹ 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.

¹⁷² ICC-01/05-01/08-1978-Conf-Exp-Anx62; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 127 to 128.

pillaged her belongings and money. She lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷³

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁷⁴ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁷⁵

Claim to victim status

The applicant claims that between 26 and 30 October 2002, she was at her work place, located in Bangui, when eighteen of Jean-Pierre Bemba’s soldiers arrived and pillaged her money. She states that they took her behind the cash registers,

¹⁷³ ICC-01/05-01/08-1978-Conf-Exp-Anx62, pages 4 to 5.

¹⁷⁴ 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.

¹⁷⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx63; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 129 to 130.

blindfolded her and eight of the men raped her one after the other. She claims that she then fled on foot and took refuge in [REDACTED] As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁶

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁷⁷

Claim to victim status

The applicant claims that between 25 and 30 October 2002, she fled with her family to areas where the Banyamulengués were not present and upon her return, she found that her work place, located in Bangui, had been destroyed and her belongings had been stolen. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁸

Analysis and conclusions

¹⁷⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx63, pages 4 to 5 and 8.

¹⁷⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx64; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 131 to 132.

¹⁷⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx64, pages 4 to 5 and 8.

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁷⁹ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 25 and 30 October 2002.

Applicant [REDACTED]¹⁸⁰

Claim to victim status

The applicant claims that between 26 and 30 October 2002, when there were clashes between Jean-Pierre Bemba’s soldiers and the Central African forces in Bangui, she was displaced to other areas. She states that upon her return, she discovered that her house, located in Bangui, had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸¹

¹⁷⁹ 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.

¹⁸⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx65; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 133 to 134.

¹⁸¹ ICC-01/05-01/08-1978-Conf-Exp-Anx65, 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 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 Bangui on an unspecified date as of 26 October 2002.

Applicant [REDACTED]¹⁸²

Claim to victim status

The applicant claims that between 25 and 30 October 2002, six Banyamulengués forced her into her house, located in Bangui, pushed her onto the bed and raped her one after the other in front of her children. She states that her children were forced to lie on the ground. She states that after they had finished raping her, they placed her on the ground, insulted her and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸³

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second

¹⁸² ICC-01/05-01/08-1978-Conf-Exp-Anx66; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 135 to 136.

¹⁸³ ICC-01/05-01/08-1978-Conf-Exp-Anx66, pages 4 to 5.

Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁸⁴ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 25 and 30 October 2002.

Applicant [REDACTED]¹⁸⁵

Claim to victim status

The applicant claims that between 25 and 30 October 2002, when there were clashes between Jean-Pierre Bemba’s soldiers and the Central African forces, he fled. He states that upon his return, he discovered that his house, located in Bangui, had been destroyed and that his belongings and livestock had been stolen. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁶

Analysis and conclusions

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

¹⁸⁴ 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.

¹⁸⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx67; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 137 to 138.

¹⁸⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx67, pages 4 to 5.

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁸⁷ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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 on an unspecified date as of 26 October 2002.

Applicant [REDACTED]¹⁸⁸

Claim to victim status

The applicant claims that between 25 and 30 October 2002, seven Banyamulengués came to her house, located in Bangui, asking for the head of the house in Lingala. She states that they then forced her into the house and onto the bed and proceeded to rape her one after the other. She claims that they pillaged her belongings and told her to leave the house, which she did along with her children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸⁹

Analysis and conclusions

¹⁸⁷ 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.

¹⁸⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx68; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 139 to 140.

¹⁸⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx68, pages 4 to 5.

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁹⁰ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁹¹

Claim to victim status

The applicant claims that between 25 and 30 October 2002, eight Banyamulengués came to her house, located in Bangui, asking for the head of the house in Lingala. She states that when she told them, by means of gestures, that her husband was dead, they forced her into the house and onto the bed and raped her one after the other in front of her children who were crying. She states that once the rape was over, the Banyamulengués pillaged a sum of money and demanded that she leave the house and insulted her. The applicant states that

¹⁹⁰ 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.

¹⁹¹ ICC-01/05-01/08-1978-Conf-Exp-Anx69; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 141 to 142.

she and her husband divorced following the events. The applicant states that they pillaged her belongings and told her to leave the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹²

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁹³ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁹⁴

Claim to victim status

¹⁹² ICC-01/05-01/08-1978-Conf-Exp-Anx69, pages 4 to 5.

¹⁹³ 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.

¹⁹⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx70; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 143 to 144.

The applicant claims that between 25 and 30 October 2002, there were fights involving the Banyamulengués in the area of PK[REDACTED]. He states that the population, including himself and his family, fled to other safer areas. He states that upon his return, he discovered that his belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁵

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁹⁶ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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 on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁹⁷

¹⁹⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx70, pages 4 to 5.

¹⁹⁶ 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.

¹⁹⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx71; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 145 to 146.

Claim to victim status

The applicant claims that between 26 and 30 October 2002, the population of Bangui, including the applicant and her family, was displaced. She states that in her absence, the Banyamulengués pillaged her belongings and livestock. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁸

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]¹⁹⁹

Claim to victim status

The applicant claims that between 26 and 30 October 2002, seven Banyamulengués entered her house, located in Bangui, PK [REDACTED], and asked her in Lingala for the head of the house. She states that when she replied that her husband was deceased, they raped her one after the other. She states that they also stole her belongings. She claims that she then fled, together with her

¹⁹⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx71, pages 4 to 5.

¹⁹⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx72; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 147 to 148.

children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰⁰

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁰¹

Claim to victim status

The applicant claims that between 25 and 30 October 2002, the soldiers of Jean-Pierre Bemba entered her house, located in Bangui, and asked her in Lingala for the head of the house. She states that when she replied that her husband was deceased, five soldiers raped her one after the other in front of her children. She claims that they pillaged her belongings and money. She states that they told her to leave the house and so she fled together with her children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰²

²⁰⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx72, pages 4 to 5.

²⁰¹ ICC-01/05-01/08-1978-Conf-Exp-Anx73; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 149 to 150.

²⁰² ICC-01/05-01/08-1978-Conf-Exp-Anx73, 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 applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁰³ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 25 and 30 October 2002.

Applicant [REDACTED]²⁰⁴

Claim to victim status

The applicant claims that between 25 and 30 October 2002, PK [REDACTED] experienced confrontations involving Jean-Pierre Bemba’s soldiers, which led to a displacement of the population. He states that he fled together with his family. He claims that in his absence, his house was ransacked and his belongings and

²⁰³ 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.

²⁰⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx74; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 151 to 152.

livestock were pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁰⁵

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁰⁶ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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 on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁰⁷

Claim to victim status

The applicant claims that between 25 and 30 October 2002, he fled from PK [REDACTED] together with his family to safer areas. He states that in his absence, the soldiers of Jean-Pierre Bemba stole his belongings from his house and his 800 chickens.

²⁰⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx74, pages 4 to 5.

²⁰⁶ 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.

²⁰⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx75; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 153 to 154.

As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁰⁸

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁰⁹ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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 on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²¹⁰

Claim to victim status

The applicant claims that between 25 and 30 October 2002, the population of Bangui was displaced. She states that she fled together with her brothers from the PK [REDACTED] area of Bangui to other areas. She claims that in her absence, the

²⁰⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx75, pages 4 to 5.

²⁰⁹ 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.

²¹⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx76; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 155 to 156.

Banyamulengués broke into her house and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹¹

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²¹² the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²¹³

Claim to victim status

The applicant claims that between 25 and 30 October 2002, she fled the hostilities and took refuge in another area. She states that Jean-Pierre Bemba’s MLC

²¹¹ ICC-01/05-01/08-1978-Conf-Exp-Anx76, pages 4 to 5.

²¹² 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.

²¹³ ICC-01/05-01/08-1978-Conf-Exp-Anx77; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 157 to 158.

soldiers occupied and ransacked the house belonging to her deceased father, located in Bangui. She claims that they pillaged her belongings which she had inherited from her deceased parents. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹⁴

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²¹⁵ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²¹⁶

Claim to victim status

²¹⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx77, pages 4 to 5.

²¹⁵ 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.

²¹⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx78; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 159 to 160.

The applicant claims that on a Friday, between 25 and 30 October 2002, six MLC soldiers of Jean-Pierre Bemba came to the place where she was selling goods in Bangui and pillaged her money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹⁷

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²¹⁸ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²¹⁹

Claim to victim status

²¹⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx78, pages 4 to 5.

²¹⁸ 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.

²¹⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx84; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 161 to 162.

The applicant claims that on 9 November 2002, the Banyamulengués arrived at his family's house, located in the [REDACTED] area of PK[REDACTED]. He states that three of them raped his mother in front of him and his brothers. He claims that the soldiers started to shoot in order to intimidate him, that he was hit by a bullet in his right arm, and as a result, his right index finger had to be amputated. He appends a medical certificate. He states that the Banyamulengués pillaged their house, including his clothes, shoes and other belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁰

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 and the kinship with his mother, 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, to the extent of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK[REDACTED] on 9 November 2002.

Applicant [REDACTED]²²¹

Claim to victim status

²²⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx84, pages 4 to 5.

²²¹ ICC-01/05-01/08-1978-Conf-Exp-Anx85; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 163 to 164.

The applicant claims that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués occupied PK[REDACTED] and came to her house, located in the [REDACTED] area of PK[REDACTED]. She states that they searched her house and pillaged her belongings. She adds that three soldiers raped her. She further states that, as a consequence, she lost her credibility and feels stigmatised. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²²

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 the [REDACTED] area of PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]²²³

Claim to victim status

The applicant claims that in November 2002, a few days after the Toussaint celebration, her children and grandchildren fled from their house, located in PK[REDACTED], but she stayed in her house. She states that Mr Bemba's Banyamulengués came to her house and pillaged her belongings. She adds that, despite her being

²²² ICC-01/05-01/08-1978-Conf-Exp-Anx85, pages 4 to 5.

²²³ ICC-01/05-01/08-1978-Conf-Exp-Anx87; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 165 to 166.

elderly, two of the soldiers undressed and raped her, telling her that they wanted to experience making love with a woman who was older than them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁴

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 PK [REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]²²⁵

Claim to victim status

The applicant claims that on 8 November 2002, the armed Banyamulengués invaded the [REDACTED] area of PK [REDACTED]. He states that they came to his house and started threatening him and his family. He further states that they tied his older son up and savagely beat him. He adds that they pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁶

²²⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx87, pages 4 to 5.

²²⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx90; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 167 to 168.

²²⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx90, 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 the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]²²⁷

Claim to victim status

The applicant claims that on 8 November 2002, the Banyamulengués came to his house, located in [REDACTED] PK [REDACTED]. He states that they raped his fourteen year old daughter in front of him and then pillaged his property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁸

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 and kinship with his daughter, 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

²²⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx91; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 169 to 170.

²²⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx91, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]²²⁹

Claim to victim status

The applicant claims that on 8 November 2002, the Banyamulengués came to his house, located in the [REDACTED] area of PK [REDACTED]. He states that three soldiers raped his mother and pillaged the belongings of his family as well as his. He lists his loss. He also states that the Banyamulengués used him to carry their belongings for a few days. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²³⁰

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 and kinship with his mother, 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, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 8 November 2002.

²²⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx92; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 171 to 172.

²³⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx92, pages 4 to 5.

Applicant [REDACTED]²³¹

Claim to victim status

The applicant claims that on 9 November 2002, the Banyamulengués came to her house, located in PK [REDACTED] where she was together with her husband and children. She states that they threw her on the ground and four of them raped her. She claims that she was infected with HIV. She adds that they tortured her son when he tried to intervene. She also states that the Banyamulengués pillaged her belongings and that the events led to her husband's death. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³²

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 PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]²³³

Claim to victim status

²³¹ ICC-01/05-01/08-1978-Conf-Exp-Anx95; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 173 to 174.

²³² ICC-01/05-01/08-1978-Conf-Exp-Anx95, pages 4 to 5.

²³³ ICC-01/05-01/08-1978-Conf-Exp-Anx97; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 175 to 176.

The applicant claims that on 9 November 2002, the Banyamulengués came to his house, located in PK [REDACTED] where they found him, his parents, sisters and brother. He states that the soldiers raped his mother. He adds that when he intervened, they first wanted to anally rape him but released him when he started crying and screaming. He states that they then beat him. He also states that they pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁴

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 and kinship with his mother, 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 PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]²³⁵

Claim to victim status

The applicant is a minor and the application is introduced on her behalf by her mother.

²³⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx97, pages 4 to 5.

²³⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx100; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 177 to 178.

It is stated that between 8 and 9 November 2002, the applicant was at her father's house in PK[REDACTED], when the Banyamulengués came to the compound shooting their guns. It is stated that the soldiers took the applicant's stepmother to rape her. According to the person acting on behalf of the applicant, when the applicant, who was six years old at that time, started crying, the Banyamulengués penetrated her with the butt of a gun. It is further stated that this caused the applicant to bleed and to lose her virginity. Finally, it is stated that the Banyamulengués pillaged the applicant's clothes, shoes and other personal belongings. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.²³⁶

Analysis and conclusions

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

The Chamber considers that, overall, 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 rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] between 8 and 9 November 2002.

Applicant [REDACTED]²³⁷

Claim to victim status

²³⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx100, pages 4 to 5.

²³⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx104; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 179 to 180.

The applicant is a minor and the application is introduced on his behalf by his father.

It is stated that on 8 March 2003, in PK[REDACTED], the applicant was intercepted by the Banyamulengués, who believed he was a rebel and beat and tortured him and tried to kill him by shooting at him, which resulted in the amputation of his left arm. It is stated that they took his backpack along with his belongings that were inside. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.²³⁸

Analysis and conclusions

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

Having considered the application as a whole, 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 PK[REDACTED] on 8 March 2003.

Applicant [REDACTED]²³⁹

Claim to victim status

The applicant states in the application form that between 20 and 23 October 2002, the Banyamulengués invaded PK[REDACTED]. She claims that she had to flee with her

²³⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx104, pages 4 to 5.

²³⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx112; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 181 to 182.

family from their house, located in the [REDACTED] area of [REDACTED]. She states that they pillaged her belongings on 30 October 2002 and left when the regime changed, on 15 March 2003. However, in a document attached to the application form where the applicant's loss is listed and valued, it is stated that the pillage of her property was recorded by the *chef de quartier* on 23 October 2002. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁴⁰

Analysis and conclusions

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

The Chamber notes that the applicant provides two dates for the alleged events, one of which falls outside the temporal scope of the alleged events (20 to 23 October 2002 and 30 October 2002). However, in light of intrinsic coherence of the application in all other respects, notably the reference to the occupation of PK [REDACTED] by the Banyamulengués and to the act of pillage on 30 October 2002, as well as the fact that a number of applicants refer to the occupation of PK [REDACTED] by the Banyamulengués as of 26 October 2002, the Chamber is of the view that the failure to provide a precise date shall not serve to exclude the applicant. Therefore, 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 26 October 2002 and 15 March 2003.

²⁴⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx112, pages 4 to 5 and 10 to 12.

Applicant [REDACTED]²⁴¹

Claim to victim status

The applicant states that on 25 December 2002, the Banyamulengués came to the [REDACTED] village, PK [REDACTED], and one soldier held him at gunpoint, threatened to kill him and raped his wife. The applicant claims that they asked him for money but he did not have any. He states that they pillaged some of his belongings. He alleges that he wanted to commit suicide after the events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁴²

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 and kinship with his wife, 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 PK [REDACTED] on 25 December 2002.

Applicant [REDACTED]²⁴³

²⁴¹ ICC-01/05-01/08-1978-Conf-Exp-Anx171; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 183 to 184.

²⁴² ICC-01/05-01/08-1978-Conf-Exp-Anx171, pages 4 to 5 and 9.

²⁴³ ICC-01/05-01/08-1978-Conf-Exp-Anx172; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 185 to 186.

Claim to victim status

The applicant states that on 18 November 2002, Jean-Pierre Bemba's armed troops came to [REDACTED] and found her and her daughter and raped them both. She claims that she now suffers from poor health and that she cannot live with her husband. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.²⁴⁴

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 and kinship with her daughter, only the applicant's rape will be considered for the purpose of the present assessment.

Therefore, 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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 18 November 2002.

Applicant [REDACTED]²⁴⁵

Claim to victim status

The applicant states that on 20 November 2002, Jean-Pierre Bemba's armed Banyamulengués came to her house located in the [REDACTED] area of [REDACTED]. According to the applicant, one soldier asked her for something to eat and after he ate, he took her and her two daughters into the house, raped them and made

²⁴⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx172, pages 4 to 5 and 8.

²⁴⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx173; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 187 to 188.

them “his women” for two weeks. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.²⁴⁶

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 and kinship with her daughters, only the applicant’s rape will be considered for the purpose of the present assessment.

Therefore, 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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 20 November 2002.

Applicant [REDACTED]²⁴⁷

Claim to victim status

The applicant states that on 3 December 2002, Jean-Pierre Bemba’s Banyamulengués came to her house, located in Bangui, PK [REDACTED], and asked her for money. The applicant alleges that when she did not give them money, five Banyamulengués raped her. She adds that they also pillaged some of her belongings. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.²⁴⁸

Analysis and conclusions

²⁴⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx173, pages 4 to 5 and 10.

²⁴⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx174; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 189 to 190.

²⁴⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx174, pages 4 to 5 and 10.

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 PK[REDACTED] on 3 December 2002.

Applicant [REDACTED]²⁴⁹

Claim to victim status

The applicant states that on 23 November 2002, Jean-Pierre Bemba's armed troops came to his house in [REDACTED] PK[REDACTED], where he was with his children. He alleges that they pointed a weapon at him, raped his daughter and infected her with a sexually transmitted disease. The applicant further alleges that when he tried to take his children, they tortured him with the butt of a gun and stole all of his property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁵⁰

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 and kinship with his daughter, only pillage will be considered for the purpose of the present assessment.

²⁴⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx175; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 191 to 192.

²⁵⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx175, pages 4 to 5 and 10.

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 PK[REDACTED] on 23 November 2002.

Applicant [REDACTED]²⁵¹

Claim to victim status

The applicant states that on 14 November 2002, Jean-Pierre Bemba's rebel forces arrived at her house, located in [REDACTED] and when they asked where her husband was she said that he was on a trip. The applicant alleges that they then asked for something to eat and when she said she had nothing for them to eat they tied her up, slapped her and shot two bullets in the air. She adds that they pillaged her belongings and two of them raped her. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.²⁵²

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

²⁵¹ ICC-01/05-01/08-1978-Conf-Exp-Anx176; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 193 to 194.

²⁵² ICC-01/05-01/08-1978-Conf-Exp-Anx176, pages 9 to 11 and 18.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 November 2002.

Applicant [REDACTED]²⁵³

Claim to victim status

The applicant states that on 14 March 2003, the population of Bangui began to flee the city. He claims that he returned to his house from work, packed his bags, accompanied his two wives and daughters and helped them evacuate the city. He states that he then stayed behind with the boys to watch the house and guard it against destruction and pillage. He further states that on 15 March 2003, he heard weapons being fired and received a call from a superior that he was to evacuate because Mr Bemba's troops had invaded the city. He alleges that he and his sons went to PK [REDACTED] but then parted ways and eventually met his wives at their farm, but they, as well as the applicant's mother and daughters, had already been raped by the Banyamulengués, who also ate all of the family's food. The applicant further alleges that at night, he was forced to accompany the Banyamulengués to the nearest shore where they could cross the Oubangui and regain their territory in the DRC. He states that they left in three groups and he helped the soldiers load their own property onto boats and canoes and then fled and hid. 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.²⁵⁴

Analysis and conclusions

²⁵³ ICC-01/05-01/08-1978-Conf-Exp-Anx177; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 195 to 196.

²⁵⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx177, pages 4 to 5 and 11 to 14.

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of and kinship with his daughter, wife and mother, 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 Bangui on 15 March 2003.

Applicant [REDACTED]²⁵⁵

Claim to victim status

The applicant states that on 30 October 2002, he was asked to leave his home in Bangui immediately because Mr Bemba's men were coming. He claims that without hesitation he took his boys and fled in the direction of the Democratic Republic of the Congo. He alleges that the Banyamulengués came to his home, threatened his wives and daughters, and pillaged his belongings. He appends a document where he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁵⁶

Analysis and conclusions

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

²⁵⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx178; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 197 to 198.

²⁵⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx178, pages 4 to 5 and 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 Bangui on an unspecified date as of 30 October 2002.

Applicant [REDACTED]²⁵⁷

Claim to victim status

The applicant states that after 27 October 2002, he evacuated his wife and children to his father's house in the [REDACTED] area of Bangui, where he had previously stored his belongings. He alleges that he got a call from his father on 30 October 2002 to quickly join him in [REDACTED] and a couple of hours later the Banyamulengués, accompanied by the Presidential Guard, pillaged all his property. He states that he and his family then fled to take refuge in [REDACTED]. He appends documents 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.²⁵⁸

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

²⁵⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx179; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 199 to 200.

²⁵⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx179, pages 4 to 5 and 8.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

Applicant [REDACTED]²⁵⁹

Claim to victim status

The applicant states that on 15 March 2003, in the [REDACTED] area of Bangui, he was told to leave his house and fled with his younger brother, his son and his nephew to the DRC. He alleges that while he was away, the Banyamulengués entered his house, raped his daughter and pillaged his belongings. He appends a document where he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁶⁰

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 and kinship with his daughter, 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 the [REDACTED] area of Bangui on 15 March 2003.

²⁵⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx180; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 201 to 202.

²⁶⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx180, pages 4 to 5 and 9.

Applicant [REDACTED]²⁶¹

Claim to victim status

The applicant states that after the fighting with the rebels in PK [REDACTED], the Banyamulengués came to her house, located in [REDACTED]. She states that several soldiers raped her one after the other before pillaging all her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶²

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 date for the alleged events. However, in light of the intrinsic coherence of the application in all other respects, notably the reference to the occupation of PK [REDACTED] by the Banyamulengués after their combats against the rebels, as well as the fact that a number of applicants refer to the occupation of PK [REDACTED] by the Banyamulengués as of 26 October 2002, the Chamber is of the view that the failure to provide a precise date should not serve to exclude 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 PK [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

²⁶¹ ICC-01/05-01/08-1978-Conf-Exp-Anx182; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 203 to 204.

²⁶² ICC-01/05-01/08-1978-Conf-Exp-Anx182, pages 4 to 5.

Applicant [REDACTED]²⁶³

Claim to victim status

The applicant states that between 25 and 30 October 2002, Jean-Pierre Bemba's men came to her house, located in Bangui. She states that four soldiers raped her one after the other and that she is now hopeless and feels ashamed. She adds that they pillaged her belongings and her money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶⁴

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 alleged events occurred on 25 or 26 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁶⁵ the accused is charged with the crimes of murder, rape and pillage committed from "on or about" 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that the application falls under the temporal scope of the present case. 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 her rape and the pillage of her belongings by the Banyamulengués of

²⁶³ ICC-01/05-01/08-1978-Conf-Exp-Anx183; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 205 to 206.

²⁶⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx183, pages 4 to 5.

²⁶⁵ 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.

Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁶⁶

Claim to victim status

The applicant states that between 26 and 30 October 2002, when the Banyamulengués came to her house, located in Bangui, she fled to another area. She further states that the soldiers pillaged her house. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁷

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁶⁸

Claim to victim status

²⁶⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx184; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 207 to 208.

²⁶⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx184, pages 4 to 5.

²⁶⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx185; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 209 to 210.

The applicant states that at the end of October 2002, she fled from the market when the Banyamulengués invaded PK[REDACTED]. She further states that they came to her house and pillaged all her belongings as well as her livestock and merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁹

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (end of October 2002) is broad and as such may fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the applications in all other respects, notably the reference to the occupation of PK[REDACTED] by the Banyamulengués, as well as the fact that a number of applicants refer to the occupation of PK[REDACTED] by the Banyamulengués as of 26 October 2002, the Chamber is of the view that the failure to provide a precise date 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 PK[REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]²⁷⁰

²⁶⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx185, pages 4 to 5.

²⁷⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx186; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 211 to 212.

Claim to victim status

The applicant states that in the beginning of November 2002, after Mr Bemba's troops had invaded PK[REDACTED], the inhabitants were ordered by the Banyamulengués to flee to Bangui. He states that he fled from his house together with his family and left behind his belongings and livestock, which were pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷¹

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 PK[REDACTED] on an unspecified date as of 1 November 2002.

Applicant [REDACTED]²⁷²

Claim to victim status

The applicant states that from 31 October until 1 November 2002, she was held prisoner by the Banyamulengués in her village of [REDACTED] PK[REDACTED], and was beaten and raped by four men. She claims to be stigmatised by these acts and to still physically suffer from them. She states that she lost all her belongings, which she

²⁷¹ ICC-01/05-01/08-1978-Conf-Exp-Anx186, pages 4 to 5.

²⁷² ICC-01/05-01/08-1978-Conf-Exp-Anx187; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 213 to 214.

lists. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁷³

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] PK [REDACTED] between 31 October 2002 and 1 November 2002.

Applicant [REDACTED]²⁷⁴

Claim to victim status

The applicant states that on 11 December 2002, Jean-Pierre Bemba's armed men entered a temple, located nearby the [REDACTED] area of [REDACTED] where she was praying with a group of twelve people. She states that she and three other women were taken to the men's base where she was forced to undress and raped. She states that she was held there for 48 hours, during which time the men did whatever they wanted to her. She alleges that it was not until she was sent for water that she was able to escape to [REDACTED] village. The applicant appends a medical document which certifies that she is suffering from HIV. As a result of

²⁷³ ICC-01/05-01/08-1978-Conf-Exp-Anx187, pages 4 to 5.

²⁷⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx188; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 215 to 216.

the alleged events, the applicant claims to have suffered physical and psychological harm.²⁷⁵

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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 11 December 2002.

Applicant [REDACTED]²⁷⁶

Claim to victim status

The applicant states that when Jean-Pierre Bemba's men arrived in [REDACTED] in 2002, she did not have time to flee with the others from her area of [REDACTED]. She states that on 30 October 2002, she was at her house with her children when the Banyamulengués broke down the door and accused them of being rebels. The applicant claims that the men then tied them up and proceeded to beat them while one of her children, who spoke a little bit Lingala, tried to explain that they were not rebels. She states that they then proceeded to pillage her house. She appends a document signed and stamped by the *chef de quartier* where her loss is

²⁷⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx188, pages 4 to 5 and 9 to 10.

²⁷⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx190; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 217 to 218.

listed and valued. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.²⁷⁷

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 30 October 2002.

Applicant [REDACTED]²⁷⁸

Claim to victim status

The applicant states that on 30 November 2002, she returned to her house, located in the [REDACTED] area of [REDACTED] after being released from the hospital where she gave birth to twins. She states that Jean-Pierre Bemba's men, who were wearing military uniforms, came to her house, where they demanded money and proceeded to beat and rape her one after the other in front of her children and husband, who they had also beaten and tied by the hands and feet. She further claims that her belongings were pillaged and appends a document signed and stamped by the *chef de quartier* that lists and values her loss. The applicant also appends a medical document which certifies that she is suffering

²⁷⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx190, pages 4 to 5 and 10 to 11.

²⁷⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx191; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 219 to 220.

from HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.²⁷⁹

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 the [REDACTED] area of [REDACTED] on 30 October 2002.

Applicant [REDACTED]²⁸⁰

Claim to victim status

The applicant states that on 11 November 2002, the Banyamulengués came to her aunt's house, located in [REDACTED] PK [REDACTED]. She further states that four of Jean-Pierre Bemba's men raped her and her aunt. She adds that she was only twelve at that time and that she is now stigmatised. She also asserts that her personal belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸¹

Analysis and conclusions

²⁷⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx191, pages 4 to 5 and 9 to 10.

²⁸⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx194; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 3 to 4.

²⁸¹ ICC-01/05-01/08-1978-Conf-Exp-Anx194, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of and kinship with her aunt, only pillage and the applicant's rape 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 and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 11 November 2002.

Applicant [REDACTED]²⁸²

Claim to victim status

The applicant states that on 9 November 2002, the Banyamulengués came to the [REDACTED] area of PK [REDACTED]. He further states that Jean-Pierre Bemba's soldiers pillaged his workshop and his house. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸³

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

²⁸² ICC-01/05-01/08-1978-Conf-Exp-Anx195; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 5 to 6.

²⁸³ ICC-01/05-01/08-1978-Conf-Exp-Anx195, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]²⁸⁴

Claim to victim status

The applicant states that on 5 February 2003, in the area between the [REDACTED] area and [REDACTED] area of Bangui, near the [REDACTED] camp, he and his sister were intercepted by the Banyamulengués. He states that the soldiers raped his sister in front of him and tried to force him to also rape her, but he refused. He asserts that Mr Bemba's men threatened to kill him before anally raping him and pillaging his belongings. He states that whenever he remembers these alleged events, he wishes to commit suicide. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸⁵

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 and kinship with his sister, only the applicant's rape and 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 his rape and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on 5 February 2003.

²⁸⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx196; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 7 to 8.

²⁸⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx196, pages 4 to 5.

Applicant [REDACTED]²⁸⁶

Claim to victim status

The applicant states that on 5 February 2003, she was with her brother in the [REDACTED] area of Bangui, near the [REDACTED] camp, when she encountered the Banyamulengués, who were speaking a language she did not understand. She states that three soldiers raped her and forced her brother to rape her. She claims that they took her clothes. She adds that she subsequently became sterile and suffers morally. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.²⁸⁷

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 Bangui on 5 February 2003.

Applicant [REDACTED]⁸

Claim to victim status

²⁸⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx198; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 9 to 10.

²⁸⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx198, pages 4 to 5.

²⁸⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx199; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 11 to 12.

The applicant states that on 15 January 2003, while his mother and her twin sister came to bring him back to Bangui, they encountered the Banyamulengués in PK [REDACTED]. He further states that the soldiers raped his mother and his aunt in front of him and pillaged his belongings. He adds that he is still traumatized. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁸⁹

Analysis and conclusions

The Chamber notes a discrepancy of four years between the date of birth as appearing in the application form and on the student card attached thereto. However, given that the remainder of the information provided in the student card is consistent with the data entered in the application form, and given that the date of birth as appearing on the birth certificate is consistent with the date of birth written in the application form, the 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. However, in the absence of any document demonstrating the identities of and kinship with his mother and his aunt, 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 Bangui on 15 January 2003.

²⁸⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx199, pages 4 to 5.

Applicant [REDACTED]²⁹⁰

Claim to victim status

The applicant states that on 9 November 2002, when the Banyamulengués came to the [REDACTED] area of PK [REDACTED], her husband fled from their house and she stayed at home with her children and grandchildren. She further states that Mr Bemba's men came to her house and raped her before pillaging her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹¹

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 PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]²⁹²

Claim to victim status

The applicant states that on 15 December 2002, he was on his way to Bangui when the Banyamulengués intercepted him in PK [REDACTED]. He further states that the soldiers asked him for money, undressed him and beat him before pillaging his

²⁹⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx200; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 13 to 14.

²⁹¹ ICC-01/05-01/08-1978-Conf-Exp-Anx200, pages 4 to 5.

²⁹² ICC-01/05-01/08-1978-Conf-Exp-Anx202; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 15 to 16.

belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁹³

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 PK [REDACTED] on 15 December 2002.

Applicant [REDACTED]²⁹⁴

Claim to victim status

The applicant states that in November 2002, around fifteen Banyamulengués came to his house, located in [REDACTED] PK [REDACTED]. He further states that Jean-Pierre Bemba's men raped his two sisters as well as his sister-in-law and pillaged all his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁹⁵

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

²⁹³ ICC-01/05-01/08-1978-Conf-Exp-Anx202, pages 4 to 5.

²⁹⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx203; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 17 to 18.

²⁹⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx203, pages 4 to 5.

identity of and kinship with his two sisters and his sister-in-law, 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 PK[REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]²⁹⁶

Claim to victim status

The applicant states that on 8 November 2002, she was coming back from [REDACTED] [REDACTED] when four Banyamulengués who were speaking Lingala intercepted her in PK[REDACTED] on her way to Bangui. She further states that they pushed her to the floor and raped her one after the other before pillaging her belongings. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁷

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

²⁹⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx204; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 19 to 20.

²⁹⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx204, pages 4 to 5.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]²⁹⁸

Claim to victim status

The applicant states that on 9 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of PK[REDACTED]. She states that they raped her before pillaging her belongings and that she is now stigmatised. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁹

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 the [REDACTED] area of PK[REDACTED] on 9 November 2002.

Applicant [REDACTED]³⁰⁰

Claim to victim status

²⁹⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx205; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 21 to 22.

²⁹⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx205, pages 4 to 5.

³⁰⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx206; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 23 to 24.

The applicant states that in November 2002, a few days after All Saints' Day, the Banyamulengués came to her aunt's house, located in the [REDACTED] area of PK[REDACTED]. She further states that she was only ten years old at the time and that two of Mr Bemba's men raped her one after the other before pillaging her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰¹

Analysis and conclusions

The Chamber notes a discrepancy of six days and two months between the date of birth as appearing in the application form and on the student card attached thereto. However, given that the remainder of the information provided in the student card is consistent with the data entered in the application form, and given that the date of birth as appearing on the birth certificate is consistent with the date of birth written 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK[REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]³⁰²

Claim to victim status

³⁰¹ ICC-01/05-01/08-1978-Conf-Exp-Anx206, pages 4 to 5.

³⁰² ICC-01/05-01/08-1978-Conf-Exp-Anx207; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 25 to 26.

The applicant states that on 11 November 2002, Mr Bemba's Banyamulengués entered her house, located in the [REDACTED] area of PK [REDACTED], and three of the rebels proceeded to rape her one after the other in front of her son. Afterwards, she states that they pillaged her belongings as well as those of her son and husband who had previously fled from the house. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰³

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 the [REDACTED] area of PK [REDACTED] on 11 November 2002.

Applicant [REDACTED]³⁰⁴

Claim to victim status

The applicant states that on 9 November 2002, Mr Bemba's Banyamulengués entered her house, located in the [REDACTED] area of PK [REDACTED], where she was with her children, and three of the rebels proceeded to rape her one after the other. She claims that they then pillaged her belongings. She lists and values her loss. She

³⁰³ ICC-01/05-01/08-1978-Conf-Exp-Anx207, pages 4 to 5.

³⁰⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx208; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 27 to 28.

states that her husband has now left her for another woman and that she is being stigmatised. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰⁵

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 the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]³⁰⁶

Claim to victim status

The applicant states that on 9 November 2002, seven of Jean-Pierre Bemba's Banyamulengués arrived at her house, located in the [REDACTED] area of PK [REDACTED], [REDACTED], and demanded money. She states that she was thrown to the ground and three of the rebels raped her one after the other and others took her belongings. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰⁷

³⁰⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx208, pages 4 to 5.

³⁰⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx211; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 29 to 30.

³⁰⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx211, 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 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 the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]³⁰⁸

Claim to victim status

The applicant states that on 7 November 2002, Jean-Pierre Bemba's Banyamulengués arrived at the house which his father was renting, located in the [REDACTED] area of PK [REDACTED], [REDACTED] and proceeded to rape his mother. He claims that he and his younger brother were tied up and were forced at gun point to watch the rape of their mother. Further, he claims that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁰⁹

Analysis and conclusions

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

³⁰⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx212; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 31 to 32.

³⁰⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx212, 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 rape of his mother and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]³¹⁰

Claim to victim status

The applicant states that on 11 November 2002, he was with his mother in the house his father was renting, located in the [REDACTED] area of PK [REDACTED], when Mr Bemba's Banyamulengués arrived and three of the men proceeded to rape his mother in front of him. He states that his father, who at the time had fled with some of his brothers, was obliged to divorce her as a result. Further, he claims that they pillaged his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹¹

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

³¹⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx213; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 33 to 34.

³¹¹ ICC-01/05-01/08-1978-Conf-Exp-Anx213, pages 4 to 5.

accused, namely the rape of his mother and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 11 November 2002.

Applicant [REDACTED]³¹²

Claim to victim status

The applicant states that on 7 November 2002, Jean-Pierre Bemba's armed Banyamulengués arrived at their house, located in the [REDACTED] area of PK [REDACTED], where he was with his mother and brothers and proceeded to rape his mother. He states that he and his older brother were tied up and forced to watch the rape of their mother while being threatened that they were going to be killed. He claims that they pillaged his belongings. The applicant values his loss. He adds that he feels like committing suicide whenever he remembers the alleged events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹³

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 rape of his mother and the pillage of his belongings by the

³¹² ICC-01/05-01/08-1978-Conf-Exp-Anx215; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 35 to 36.

³¹³ ICC-01/05-01/08-1978-Conf-Exp-Anx215, pages 4 to 5.

Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]³¹⁴

Claim to victim status

The applicant states that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués arrived at his house, located in the [REDACTED] area of PK [REDACTED], and raped his wife and two of his eldest daughters. He also claims that they pillaged their belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹⁵

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 and kinship with his daughters and his wife, 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 the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]³¹⁶

³¹⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx216; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 37 to 38.

³¹⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx216, pages 4 to 5.

³¹⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx217; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 39 to 40.

Claim to victim status

The applicant states that on 8 November 2002, he was in his uncle's house, located in PK[REDACTED] with his younger family member, when Jean-Pierre Bemba's Banyamulengués arrived and pillaged his belongings. He adds that they burned his school books. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³¹⁷

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 PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]³¹⁸

Claim to victim status

The applicant states that on 7 November 2002, she was in her house, located in the [REDACTED] area of PK[REDACTED], with her children when Jean-Pierre Bemba's armed Banyamulengués arrived, threatened her and her children and then dragged her into a room where three Banyamulengués raped her one after the other. As a result, she claims that her husband left her and her children were in shock. Further, she states that they pillaged her belongings. As a result of the alleged

³¹⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx217, pages 4 to 5.

³¹⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx218; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 41 to 42.

events, the applicant claims to have suffered physical, psychological and material harm.³¹⁹

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 the [REDACTED] area of PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]³²⁰

Claim to victim status

The applicant states that on 8 November 2002, she was in the house of her sister, located in PK [REDACTED], with her nephews when Mr Bemba's Banyamulengués entered the house, threw her onto the bed and six of them raped her one after the other. Further, she states that they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²¹

Analysis and conclusions

³¹⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx218, pages 4 to 5.

³²⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx220; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 43 to 44.

³²¹ ICC-01/05-01/08-1978-Conf-Exp-Anx220, 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 PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]³²²

Claim to victim status

The applicant states that in the beginning of November 2002, he was in his tutor's house, located in PK[REDACTED], when Jean-Pierre Bemba's Banyamulengués entered the house and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³²³

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 PK[REDACTED] on an unspecified date in November 2002.

³²² ICC-01/05-01/08-1978-Conf-Exp-Anx221; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 45 to 46.

³²³ ICC-01/05-01/08-1978-Conf-Exp-Anx221, pages 4 to 5.

Applicant [REDACTED]³²⁴

Claim to victim status

The applicant states that on 11 November 2002, she was with her children at her house, located in the [REDACTED] area of PK [REDACTED], when three Banyamulengués came to rape her and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²⁵

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 the [REDACTED] area of PK [REDACTED] on 11 November 2002.

Applicant [REDACTED]³²⁶

Claim to victim status

The applicant states that on 7 November 2002, when she arrived in Bangui, she was intercepted in her vehicle, along with other passengers, by the Banyamulengués, who did not speak French or Sango. She states that some

³²⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx222; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 47 to 48.

³²⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx222, pages 4 to 5.

³²⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx223; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 49 to 50.

passengers managed to flee and when she tried to flee herself, she was shot at by the Banyamulengués and the bullet hit her left arm. She adds that they pillaged her belongings. The applicant appends a medical document which certifies that her hand was amputated following the events. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³²⁷

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 attempted murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on 7 November 2002.

Applicant [REDACTED]³²⁸

Claim to victim status

The applicant states that on 24 November 2002, while she was at her house, located in the [REDACTED] area of PK [REDACTED], she was raped by seven Banyamulengués, which led to her suffering a miscarriage and other diseases and to her separation from her husband. She further states that her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.³²⁹

³²⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx223, pages 4 to 5.

³²⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx226; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 51 to 52.

³²⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx226, 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 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 the [REDACTED] area of PK[REDACTED] on 24 November 2002.

Applicant [REDACTED]³³⁰

Claim to victim status

The applicant states that in November 2002, both her daughters and her daughter-in-law were raped by the Banyamulengués, who then proceeded to pillage and destroy her house, located in PK[REDACTED]. She claims that this forced them to leave their house and go to [REDACTED] where her husband died two years later of heart problems that were worsened by the events that took place. As a result of the alleged events, the applicant claims to have suffered material harm.³³¹

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 and kinship with her daughters and her daughter-in-law, only pillage will be considered for the purpose of the present assessment.

³³⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx227; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 53 to 54.

³³¹ ICC-01/05-01/08-1978-Conf-Exp-Anx227, 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 PK[REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]³³²

Claim to victim status

The applicant states that on 8 November 2002, after their arrival in PK[REDACTED] at the [REDACTED] the Banyamulengués pillaged and killed parts of the herd of cattle he had inherited. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³³³

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 PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]³³⁴

³³² ICC-01/05-01/08-1978-Conf-Exp-Anx228; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 55 to 56.

³³³ ICC-01/05-01/08-1978-Conf-Exp-Anx228, pages 4 to 5.

³³⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx229; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 57 to 58.

Claim to victim status

The applicant is a minor and the application is introduced on his behalf by his father.

It is alleged that on 11 January 2003, the applicant and his father were coming from the fields, when, in PK[REDACTED], their motorcycle was stopped by the Banyamulengués who tortured them. It is further claimed that Jean-Pierre Bemba's men took their motorcycle and merchandises, which are listed and belonged to both the applicant and his father. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.³³⁵

Analysis and conclusions

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

Having considered the application as a whole, 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 merchandise, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on 11 January 2003.

Applicant [REDACTED]³³⁶

Claim to victim status

³³⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx229, pages 4 to 5.

³³⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx231; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 59 to 60.

The applicant states that on 9 March 2003, her house, located in the [REDACTED] area of [REDACTED] was pillaged by the Banyamulengués while she and her family were taking refuge in [REDACTED] located [REDACTED] kilometres away from Bangui. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³³⁷

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] PK [REDACTED] on 9 March 2003.

Applicant [REDACTED]³³⁸

Claim to victim status

The applicant states that on 17 November 2002, Jean-Pierre Bemba's men came to her house, located in [REDACTED] and demanded money from her. She states that when she told them she did not have any, five of the men proceeded to rape her and then pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³³⁹

Analysis and conclusions

³³⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx231, pages 4 to 5.

³³⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx268; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 61 to 62.

³³⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx268, pages 9 to 11.

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 17 November 2002.

Applicant [REDACTED]³⁴⁰

Claim to victim status

The applicant states that on 12 November 2002, armed Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] and demanded money from her. She states that when she told them she did not have any, they proceeded to rape her. She further states that this caused her separation from her husband. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.³⁴¹

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

³⁴⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx269; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 63 to 64.

³⁴¹ ICC-01/05-01/08-1978-Conf-Exp-Anx269, pages 4 to 5 and 8.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 12 November 2002.

Applicant [REDACTED]³⁴²

Claim to victim status

The applicant states that around 15 December 2002, two months after Ramadan, she saw the Banyamulengués approaching the [REDACTED] in PK [REDACTED] and fled to take refuge in the bush with her children. While in the bush, she claims that her uncles informed her that her younger brother had been killed and that her house had been pillaged. She also states that her merchandise and her livestock were taken away by Jean-Pierre Bemba's men. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴³

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 and kinship with her brother, 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 PK [REDACTED] on an unspecified date as of 15 December 2002.

³⁴² ICC-01/05-01/08-1978-Conf-Exp-Anx270; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 65 to 66.

³⁴³ ICC-01/05-01/08-1978-Conf-Exp-Anx270, pages 4 to 5.

Applicant [REDACTED]³⁴⁴

Claim to victim status

The applicant is a non-governmental organisation which has as its mission fighting against poverty and hunger and promoting human rights, democracy and [REDACTED]. The application is introduced by the [REDACTED] of the organisation.

It is stated that on 2 November 2002, the organization's [REDACTED] [REDACTED], located in the [REDACTED] area of PK [REDACTED], [REDACTED] was looted by the Banyamulengués. The loss is listed and valued in an appended document. As a result of the alleged events, it is claimed that the applicant organisation has suffered material harm.³⁴⁵

Analysis and conclusions

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

Having examined the application as a whole, the Chamber is satisfied that the organization 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 the [REDACTED] area of PK [REDACTED], [REDACTED] on 2 November 2002.

³⁴⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx271; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 67 to 68.

³⁴⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx271, pages 3 to 5, 18 to 29.

Applicant [REDACTED]³⁴⁶

Claim to victim status

The applicant states that on 3 November 2002, armed Banyamulengués wearing military uniforms and speaking Lingala came to his house, located in [REDACTED]. He states that he fled to take refuge in the fields, leaving everything behind and that upon his return, five months later, he found that his house and livestock had been pillaged. 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.³⁴⁷

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 3 November 2002.

Applicant [REDACTED]³⁴⁸

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba's men entered his house, located in the [REDACTED] area of PK [REDACTED], and held him at gunpoint. He

³⁴⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx272; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 69 to 70.

³⁴⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx272, pages 3 to 5 and 9.

³⁴⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx273; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 71 to 72.

claims that one of the men thought he was one of the rebels as they found the military uniform of his older brother. He states that the *chef de quartier* came to his rescue, but that they still 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.³⁴⁹

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 PK [REDACTED] on 1 November 2002.

Applicant [REDACTED]³⁵⁰

Claim to victim status

The applicant states that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, arrived at her house, located in the village of [REDACTED] and started shooting at the walls of the house causing her to flee to [REDACTED] while her husband and children fled elsewhere. She states that upon her return five months later, she found that her belongings and livestock had been pillaged. The applicant appends a document

³⁴⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx273, pages 3 to 5 and 8 to 9.

³⁵⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx274; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 73 to 74.

in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵¹

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] PK [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]³⁵²

Claim to victim status

The applicant states that on 27 October 2002, the armed men of Jean-Pierre Bemba, who were wearing military uniforms and speaking Lingala, came to [REDACTED] so he and his family took refuge in the fields for five months. The applicant alleges that upon his return, he discovered that his belongings and livestock had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵³

Analysis and conclusions

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

³⁵¹ ICC-01/05-01/08-1978-Conf-Exp-Anx274, pages 4 to 5 and 9.

³⁵² ICC-01/05-01/08-1978-Conf-Exp-Anx275; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 75 to 76.

³⁵³ ICC-01/05-01/08-1978-Conf-Exp-Anx275, pages 4 to 5 and 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 [REDACTED] PK [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]³⁵⁴

Claim to victim status

The applicant states that on 27 October 2002, the armed men of Jean-Pierre Bemba entered his house, located in the [REDACTED] area of [REDACTED] and tried to rape him, but upon his refusal, they raped his mother and older sister and pillaged the house. He adds that his mother and sister took some test which showed that they got infected with HIV. The applicant lists and values his loss. As a result of the alleged events the applicant claims to have suffered material harm.³⁵⁵

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 and kinship with his mother and his 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

³⁵⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx276; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 77 to 78.

³⁵⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx276, pages 4 to 5 and 9.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 27 October 2002.

Applicant [REDACTED]³⁵⁶

Claim to victim status

The applicant states that on 27 October 2002, [REDACTED] was invaded by Jean-Pierre Bemba's men who were wearing military uniforms and speaking Lingala. The applicant alleges that he and his family took refuge in a nearby village for five months and upon his return, he discovered that his belongings had been pillaged. The applicant appends a document signed and stamped by the *chef de quartier* in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵⁷

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 27 October 2002.

Applicant [REDACTED]³⁵⁸

³⁵⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx277; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 79 to 80.

³⁵⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx277, pages 4 to 5 and 9.

³⁵⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx278; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 81 to 82.

Claim to victim status

The applicant states that on 28 October 2002, Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala, occupied [REDACTED]. She states that approximately thirty of them approached her house, causing her to flee and take refuge for five months in a village located [REDACTED] kilometres from her house. The applicant alleges that upon her return, she discovered there was nothing left in her house. She appends a document signed and stamped by the *chef de quartier* where her loss is listed and valued. As a result of the alleged events the applicant claims to have suffered material harm.³⁵⁹

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 28 October 2002.

Applicant [REDACTED]³⁶⁰

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's men, who were armed, wearing military uniforms, speaking Lingala and firing their weapons, came to his house, located in [REDACTED] PK[REDACTED]. He alleges that he fled with his

³⁵⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx278, pages 4 to 5 and 9.

³⁶⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx279; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 83 to 84.

family, taking refuge in another village for five months, and that upon his return, he discovered that his belongings and livestock had been pillaged. He appends a document signed and stamped by the *chef de quartier* in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.³⁶¹

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 27 October 2002.

Applicant [REDACTED]³⁶²

Claim to victim status

The applicant states that on 23 November 2002, a group of six armed Banyamulengués shot in the air and entered her house, located in the [REDACTED] area. She states that they raped her and her sister-in-law in front of their respective husbands and beat their husbands as well. She adds that due to this event, her husband left her. The applicant also claims that her belongings were pillaged.

³⁶¹ ICC-01/05-01/08-1978-Conf-Exp-Anx279, pages 4 to 5 and 10.

³⁶² ICC-01/05-01/08-1978-Conf-Exp-Anx291; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 85 to 86.

She values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶³

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 and kinship with her sister-in-law, only pillage and the applicant's rape 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 and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 23 November 2002.

Applicant [REDACTED]³⁶⁴

Claim to victim status

The applicant states that on 24 November 2002, the Banyamulengués came to her house, located in the [REDACTED] area, while she was there with her children, and demanded money from her. She states that they proceeded to rape her and her daughter and pillaged her belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁵

³⁶³ ICC-01/05-01/08-1978-Conf-Exp-Anx291, pages 4 to 5.

³⁶⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx294; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 87 to 88.

³⁶⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx294, pages 4 to 5.

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 and kinship with her daughter, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 24 November 2002.

Applicant [REDACTED]³⁶⁶

Claim to victim status

The applicant states that on 23 November 2002, while the armed Banyamulengués were in the area of [REDACTED] four of them raped her one after the other and pillaged her belongings. She further claims that she felt ashamed and that her husband left her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁷

Analysis and conclusions

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

³⁶⁶ ICC-01/05-01/08-1978-Conf-Exp-Anx295; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 89 to 90.

³⁶⁷ ICC-01/05-01/08-1978-Conf-Exp-Anx295, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 23 November 2002.

Applicant [REDACTED]³⁶⁸

Claim to victim status

The applicant states that on 23 November 2002, when he returned from getting breakfast, the Banyamulengués were already in his house, located in the [REDACTED] area of Bangui. He claims that they had raped his wife and two daughters and then had proceeded to pillage his house. The applicant lists his loss and claims that his whole family was traumatised by the events. He also states that his merchandise was pillaged and his shop destroyed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁶⁹

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 and kinship with his wife and his daughters, 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

³⁶⁸ ICC-01/05-01/08-1978-Conf-Exp-Anx298; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 91 to 92.

³⁶⁹ ICC-01/05-01/08-1978-Conf-Exp-Anx298, 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 PK [REDACTED] on 23 November 2002.

Applicant [REDACTED]³⁷⁰

Claim to victim status

The applicant states that on 24 November 2002, the Banyamulengués came to her house, located in the [REDACTED] area, where she was with her partner, and demanded money. She alleges that her partner gave them 2,000 CFA and four of the men then threw her to the ground and raped her one after the other. She states that they also pillaged her belongings. She adds that she no longer feels happy with herself and that her partner has left her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷¹

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 the [REDACTED] area of PK [REDACTED] on 24 November 2002.

³⁷⁰ ICC-01/05-01/08-1978-Conf-Exp-Anx300; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 93 to 94.

³⁷¹ ICC-01/05-01/08-1978-Conf-Exp-Anx300, pages 4 to 5.

Applicant [REDACTED]³⁷²

Claim to victim status

The applicant claims that on 23 November 2002, while the Banyamulengués were in the [REDACTED] area, his family took refuge in the fields. He states that on the way to his house, he was told not to go there because Mr Bemba's men were searching for him to take his money. He states that upon his return, he found that his belongings had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁷³

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 Bangui on an unspecified date as of 23 November 2002.

Applicant [REDACTED]³⁷⁴

Claim to victim status

³⁷² ICC-01/05-01/08-1978-Conf-Exp-Anx303; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 95 to 96.

³⁷³ ICC-01/05-01/08-1978-Conf-Exp-Anx303, pages 4 to 5.

³⁷⁴ ICC-01/05-01/08-1978-Conf-Exp-Anx304; ICC-01/05-01/08-1980-Conf-Exp-Anx3, pages 97 to 98.

The applicant claims that on 25 November 2002, while she and her four daughters were at their house, located in the [REDACTED] area, eight Banyamulengués came and demanded money from her. The applicant states that when she responded that she did not have any, one of men beat her and the men proceeded to rape her and her daughters one after the other. She states that they also pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷⁵

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 and kinship with her daughters, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 25 November 2002.

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Applicant [REDACTED]³⁷⁶

Claim to victim status

³⁷⁵ ICC-01/05-01/08-1978-Conf-Exp-Anx304, pages 4 to 5.

³⁷⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx1; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 23 to 24.

The applicant claims that on 31 October 2002, Mr Bemba's troops invaded the village of [REDACTED] and broke into her house where she was hiding with her children. She states that because they did not find anything in the room of her children, they used their gun to blast open the door to her bedroom and asked her for money. She states that when she told them she did not have any money, they crushed her left leg and she then had to tell them where the money was. The applicant states that they took the money. She adds that before they left, they shot her in the right thigh. She appends medical certificates. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷⁷

Analysis and conclusions

The Chamber notes a discrepancy of four years 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 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 [REDACTED] on 31 October 2002.

³⁷⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx1, pages 4 to 5 and 17.

Applicant [REDACTED]³⁷⁸

Claim to victim status

The applicant states, in a document appended to the application form, that when the Zaghawa rebels first came to Bangui, in October 2002, he was working as a driver and when he was intercepted by those rebels in the area of PK [REDACTED], he was forced to work for them for two days. The applicant states that he managed to escape and that he fled to [REDACTED] but when he found out that his family members had been threatened by the Banyamulengués and almost executed, he decided to return to Bangui. He adds that the Banyamulengués hit his brother with a gun and broke one of his teeth as a result. According to the applicant, he returned to Bangui on 15 March 2003 and on his way he could see the Banyamulengués leaving the country carrying their loot. He adds that upon his return to the house where he used to live with his father, brother and sisters, located in PK [REDACTED], he found that the property had been pillaged, including his clothes, bed, mattresses and documents. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁷⁹

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, to the extent of his personal

³⁷⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx3; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 3 to 4.

³⁷⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx3, pages 9 to 11 and 23 to 24.

belongings, by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]³⁸⁰

Claim to victim status

The applicant claims that on 1 November 2002, the Banyamulengués arrived in the [REDACTED] neighbourhood of PK[REDACTED], [REDACTED] and came to her house, where she was living together with her parents and siblings. The applicant states that they pillaged her belongings, the belongings of her family members and the cash box belonging to the [REDACTED] in which her father served as a [REDACTED]. She further alleges that when a second group of Banyamulengués came to the house, because there was nothing left to loot they shot at her father, who died a few days later as a result of the injuries sustained. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁸¹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate both the identities of the applicant and her father, as well as 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 father and the pillage of her belongings, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK[REDACTED] on 1 November 2002.

³⁸⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx5; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 5 to 6.

³⁸¹ ICC-01/05-01/08-2017-Conf-Exp-Anx5, pages 9 to 11, 18 and 20.

Applicant [REDACTED]³⁸²

Claim to victim status

The applicant states that on 27 November 2002, Jean-Pierre Bemba's armed rebels came to his house, located in [REDACTED] and asked him for money. The applicant states that he welcomed them warmly because he thought that they had come to protect them. Accordingly, when they asked him for money, he gave them a sum of money, whereupon they told him that he could leave because they were going to protect his house in his absence. The applicant states that he then fled from his house and returned on 13 February 2003. As a result of the alleged events, the applicant claims to have suffered material harm.³⁸³

Analysis and conclusions

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

However, the Chamber notes that the applicant states that he voluntarily gave a sum of money to the Banyamulengués because he thought that they had come to protect his house while he was away. In the absence of any indication that his belongings were pillaged, the Chamber is not in a position to determine whether the harm suffered by the applicant is related to a crime covered by the charges in the present case and the application is rejected.

Applicant [REDACTED]³⁸⁴

³⁸² ICC-01/05-01/08-2017-Conf-Exp-Anx6; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 25 to 26.

³⁸³ ICC-01/05-01/08-2017-Conf-Exp-Anx6, pages 4 to 5.

³⁸⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx7; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 27 to 28.

Claim to victim status

The applicant claims that on 23 November 2002, six Banyamulengués came to his house and asked him for money. He states that when he told them he did not have any money, they entered his house and pillaged his belongings. He further states that four of the men raped his older sister one after the other in front of him. He adds that the men used him to carry their loot back to their base at the port of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁸⁵

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. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the applicant form, the 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. However, in the absence of any document demonstrating the identity of and kinship with his sister, only pillage will be considered for the purpose of the present assessment.

The Chamber notes that the applicant does not indicate the location where the alleged events took place but only states that they occurred at his home. However, given the applicant's place of birth as appearing on the application form and on the identity document, as well as the fact that the application form was filled in and signed by the applicant in Bangui, the Chamber infers that the alleged events occurred in Bangui. Therefore, the Chamber considers that,

³⁸⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx7, pages 4 to 5.

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 on 23 November 2002.

Applicant [REDACTED]³⁸⁶

Claim to victim status

The applicant claims that on 14 March 2003, she fled from her house, located in the [REDACTED] *arrondissement* in Bangui, to her farm, located near the [REDACTED] village, together with her mother-in-law and their seven daughters, and they took their belongings with them. The applicant states that on 15 March 2003, the Banyamulengués entered the village and some of the men raped her, her mother-in-law and the daughters while others pillaged their belongings and ate their livestock. The applicant states that farmers, who the men had captured in [REDACTED] led them barefoot through the bush and abandoned them in the village of [REDACTED] without any belongings or food. 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 physical, psychological and material harm.³⁸⁷

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 and kinship with her mother-in-law and her daughters, only the

³⁸⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx8; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 29 to 30.

³⁸⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx8, pages 4 to 5 and 9 to 11.

applicant's rape and the pillage of her 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 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 Bangui on 15 March 2003.

Applicant [REDACTED]³⁸⁸

Claim to victim status

The applicant claims that on 30 October 2002, while she was in the [REDACTED] area of Bangui visiting her stepmother, she was intercepted by the Banyamulengués. The applicant states that one of them raped her and as a consequence she contracted HIV. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.³⁸⁹

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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

³⁸⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx53; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 33 to 34.

³⁸⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx53, pages 4 to 5.

Applicant [REDACTED]³⁹⁰

Claim to victim status

The applicant claims that on 19 February 2003, the Banyamulengués arrived in the [REDACTED] village, PK [REDACTED]. She states that two of them threatened her with their weapons, told her to lie down on her back and undressed her and raped her. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.³⁹¹

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

Applicant [REDACTED]³⁹²

Claim to victim status

The applicant claims that on 15 February 2003, when the Banyamulengués broke into his house, located in the [REDACTED] area, he fled together with his family. He states that upon his return, he discovered that his belongings had been pillaged.

³⁹⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx59; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 37 to 38.

³⁹¹ ICC-01/05-01/08-2017-Conf-Exp-Anx59, pages 4 to 5.

³⁹² ICC-01/05-01/08-2017-Conf-Exp-Anx79; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 39 to 40.

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.³⁹³

Analysis and conclusions

The Chamber notes a discrepancy of seven years between the date of birth as appearing in the application form and on the copy of the birth certificate attached thereto. However, given that the remainder of the information provided in the copy of 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 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 the [REDACTED] area of Bangui on an unspecified date as of 15 February 2003.

Applicant [REDACTED]³⁹⁴

Claim to victim status

The applicant claims that on 30 November 2002, twelve Banyamulengués came to her house and pushed her to the ground while her family and employees fled. She states that the soldiers pillaged her belongings and livestock. She lists her

³⁹³ ICC-01/05-01/08-2017-Conf-Exp-Anx79, pages 4 to 5 and 9.

³⁹⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx80; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 41 to 42.

loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁹⁵

Analysis and conclusions

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

The Chamber notes that the applicant does not indicate the location of the alleged events but only states that they took place at her house. However, given the fact that the application form was filled in and signed by the applicant in the [REDACTED] area of Bangui, the Chamber considers that the alleged events occurred in the [REDACTED] area of Bangui. Therefore, 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 on 30 November 2002.

Applicant [REDACTED]³⁹⁶

Claim to victim status

The applicant claims that on 26 November 2002, when the Banyamulengués came to her house, she fled together with her family, leaving everything behind. She states that upon her return, she discovered that her belongings had been pillaged. She appends a document in which she lists and values her loss. As a

³⁹⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx80, pages 4 to 5.

³⁹⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx81; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 43 to 44.

result of the alleged events, the applicant claims to have suffered material harm.³⁹⁷

Analysis and conclusions

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

The Chamber notes that the applicant does not indicate the location of the alleged events but only states that they took place at her house. However, given the fact that the application form was filled in and signed by the applicant in the [REDACTED] area of Bangui, the Chamber considers that the alleged events occurred in the [REDACTED] area of Bangui. Therefore, 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 on 26 November 2002.

Applicant [REDACTED]³⁹⁸

Claim to victim status

The applicant claims that on 13 December 2003, the Banyamulengués invaded the [REDACTED] area of PK [REDACTED]. He states that after the soldiers beat him, he fled together with his family, leaving everything behind. He states that upon his return, he discovered that his belongings had been pillaged. He appends a

³⁹⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx81, pages 4 to 5 and 9.

³⁹⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx82; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 45 to 46.

document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁹⁹

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. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the applicant form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that 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 [REDACTED] area of PK [REDACTED] on an unspecified date as of 13 December 2002.

Applicant [REDACTED]⁴⁰⁰

Claim to victim status

The applicant claims that on 15 January 2003, when the Banyamulengués came to the [REDACTED] area of PK [REDACTED], he was beaten and had to flee with all the members of his family. He states that he could not take his belongings and he appends a document signed and stamped by the *chef de quartier* in which he lists and values

³⁹⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx82, pages 4 to 5 and 9.

⁴⁰⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx83; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 47 to 48.

his pillaged belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁰¹

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. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the applicant form, the 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 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 PK [REDACTED] on an unspecified date as of 15 January 2003.

Applicant [REDACTED]⁴⁰²

Claim to victim status

The applicant claims that on 17 November 2002, when ten Banyamulengués who were armed with Kalashnikovs attacked his house, located in the [REDACTED] area of [REDACTED] he fled. He states that upon his return, he discovered that his belongings had been pillaged. He appends a document in which he lists and

⁴⁰¹ ICC-01/05-01/08-2017-Conf-Exp-Anx83, pages 4 to 5 and 9.

⁴⁰² ICC-01/05-01/08-2017-Conf-Exp-Anx84; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 49 to 50.

values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁰³

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 as of 17 November 2002.

Applicant [REDACTED]⁴⁰⁴

Claim to victim status

The applicant claims that on 17 November 2002, when he returned from the market, he found the armed men of Jean-Pierre Bemba, who were wearing uniforms, in his house, located in the [REDACTED] area of [REDACTED] PK[REDACTED]. The applicant states that the men beat him with their belts and pillaged his belongings. He appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁰⁵

Analysis and conclusions

⁴⁰³ ICC-01/05-01/08-2017-Conf-Exp-Anx84, pages 4 to 5 and 9.

⁴⁰⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx85; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 51 to 52.

⁴⁰⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx85, pages 4 and 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 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 17 November 2002.

Applicant [REDACTED]⁴⁰⁶

Claim to victim status

The applicant claims that on 16 November 2002, she was with her mother and siblings when the men of Jean-Pierre Bemba entered her house, located in [REDACTED]. She states that they whipped her and her family with ropes and batons which caused a physical injury at her left leg. She states that they raped her, her sisters and her brothers. She claims that afterwards they took her belongings and money. The applicant appends a document in which she lists and values her loss. She adds that they transformed her house into a police station and that her mother had a nervous breakdown. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁰⁷

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

⁴⁰⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx86; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 53 to 54.

⁴⁰⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx86, pages 4 to 5 and 9.

identity of the and kinship with her brothers and sisters, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 16 November 2002.

Applicant [REDACTED]⁴⁰⁸

Claim to victim status

The applicant claims that on 27 October 2002, she was in her house, located in [REDACTED] when the armed men of Jean-Pierre Bemba, who were speaking Lingala, came and slapped her. She states that at least six or seven men raped her. She adds that after she regained consciousness several hours later, she discovered that her belongings had been taken. 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 physical, psychological and material harm.⁴⁰⁹

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

⁴⁰⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx87; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 55 to 56.

⁴⁰⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx87, pages 4 to 5 and 9.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 27 October 2002.

Applicant [REDACTED]⁴¹⁰

Claim to victim status

The applicant claims that on 27 October 2002, when the armed men of Jean-Pierre Bemba, who were wearing military uniforms and speaking Lingala, occupied [REDACTED] PK [REDACTED], he fled together with his family and took refuge in the [REDACTED] village. He claims that upon his return five months later, he discovered that his belongings and livestock had been pillaged. 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.⁴¹¹

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 27 October 2002.

Applicant [REDACTED]⁴¹²

⁴¹⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx88; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 57 to 58.

⁴¹¹ ICC-01/05-01/08-2017-Conf-Exp-Anx88, pages 4 to 5 and 10.

⁴¹² ICC-01/05-01/08-2017-Conf-Exp-Anx89; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 59 to 60.

Claim to victim status

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, forced him and his family out of his house, located in [REDACTED] PK[REDACTED]. The applicant states that they pillaged his belongings and livestock. 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.⁴¹³

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 28 October 2002.

Applicant [REDACTED]⁴¹⁴

Claim to victim status

The applicant claims that on 27 October 2002, he fled from his house, located in [REDACTED] together with his family and took refuge in the [REDACTED] village. He states that upon his return five months later, he discovered that his belongings and livestock had been pillaged. He appends a document signed and stamped by the *chef de quartier* in which his loss is listed and valued. He holds Jean-Pierre

⁴¹³ ICC-01/05-01/08-2017-Conf-Exp-Anx89, pages 4 to 5 and 9.

⁴¹⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx90; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 61 to 62.

Bemba responsible for the alleged events. As a result of the alleged events, the applicant claims to have suffered material harm.⁴¹⁵

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 27 October 2002.

Applicant [REDACTED]⁴¹⁶

Claim to victim status

The applicant claims that on 27 October 2002, when the armed men of Jean-Pierre Bemba, who were wearing military uniforms and speaking Lingala, came to [REDACTED] she fled from her house together with her family in order to take refuge in PK [REDACTED]. The applicant states that two of the men raped her in the [REDACTED] village. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁴¹⁷

Analysis and conclusions

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

⁴¹⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx90, pages 4 to 5 and 9.

⁴¹⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx91; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 63 to 64.

⁴¹⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx91, page 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] and [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]⁴¹⁸

Claim to victim status

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, entered his house, located in [REDACTED] PK[REDACTED]. According to the applicant, when one man started shooting at the door of his house, he and his family fled and sought refuge in the [REDACTED] village, located [REDACTED] kilometres away from his house, where they stayed for a period of five months. The applicant states that upon his return, he found that his belongings and livestock had been pillaged. His loss is listed and valued in an appended document which is signed and stamped by the *chef de quartier*. As a result of the alleged events, the applicant claims to have suffered material harm.⁴¹⁹

Analysis and conclusions

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

⁴¹⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx92; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 65 to 66.

⁴¹⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx92, pages 4 to 5 and 8.

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 27 October 2002.

Applicant [REDACTED]⁴²⁰

Claim to victim status

The applicant claims that on 26 October 2002, the armed Banyamulengués, who were wearing military uniforms and speaking Lingala, came to her house, located in [REDACTED]. She states that nine of them raped her and others raped her younger sister. She states that they held them hostage for three days. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁴²¹

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 and kinship with her sister, only the applicant's rape 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

⁴²⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx93; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 67 to 68.

⁴²¹ ICC-01/05-01/08-2017-Conf-Exp-Anx93, page 4 to 5.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 26 October 2002.

Applicant [REDACTED]⁴²²

Claim to victim status

The applicant claims that on 28 October 2002, when Jean-Pierre Bemba's men invaded [REDACTED] PK [REDACTED], he fled together with his family and took refuge in the fields in the [REDACTED] village. He states that upon his return five months later, he discovered that his belongings had been pillaged. 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.⁴²³

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 28 October 2002.

Applicant [REDACTED]⁴²⁴

Claim to victim status

⁴²² ICC-01/05-01/08-2017-Conf-Exp-Anx94; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 69 to 70.

⁴²³ ICC-01/05-01/08-2017-Conf-Exp-Anx94, pages 4 to 5 and 10.

⁴²⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx95; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 71 to 72.

The applicant claims that on 26 October 2002, when the armed Banyamulengués, who were wearing military uniforms and speaking Lingala, arrived in the [REDACTED] village of [REDACTED] she fled and took refuge in the [REDACTED] village. She states that upon her return five months later, she discovered that her belongings and livestock had been pillaged. She appends a document signed and stamped by the *chef de quartier* in which her loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²⁵

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 26 October 2002.

Applicant [REDACTED]⁴²⁶

Claim to victim status

The applicant claims that on 23 November 2002, when the armed Banyamulengués who were wearing military uniforms and speaking Lingala, entered [REDACTED] PK [REDACTED], he fled and took refuge in the [REDACTED] area. The applicant states that upon his return five months later, he discovered that his belongings had been taken. The applicant appends a document signed and

⁴²⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx95, pages 4 to 5 and 9.

⁴²⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx96; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 73 to 74.

stamped by the *chef de quartier* in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²⁷

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 23 November 2002.

Applicant [REDACTED]⁴²⁸

Claim to victim status

The applicant claims that on 8 November 2002, when the armed Banyamulengués, who were wearing military uniforms and speaking Lingala, entered [REDACTED] PK [REDACTED], he fled. He states that his belongings were stolen. He appends a document signed and stamped by the *chef de quartier* in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²⁹

Analysis and conclusions

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

⁴²⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx96, pages 4 to 5 and 9.

⁴²⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx97; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 75 to 76.

⁴²⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx97, pages 4 to 5 and 8.

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 8 November 2002.

Applicant [REDACTED]⁴³⁰

Claim to victim status

The applicant claims that between 25 and 30 October 2002, she was raped by six Banyamulengués at her home, located in Bangui, in front of her children. The applicant states that her husband divorced her after the events. She further states that in her absence, her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴³¹

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁴³² the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these

⁴³⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx98; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 77 to 78.

⁴³¹ ICC-01/05-01/08-2017-Conf-Exp-Anx98, pages 4 to 5.

⁴³² 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.

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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui between 26 and 30 October 2002.

Applicant [REDACTED]³

Claim to victim status

The applicant claims that on 28 October 2002, the Banyamulengués entered her house, located in Bangui. She states that when one of the men asked her in Lingala where the chief of the house was, she replied with hand gestures that he was deceased. She claims that one of the men threw her onto the bed and eleven men raped her one after the other in front of her children. She further states that they took a sum of money she had attached to her body. She claims that the soldiers insulted her and ordered her to leave the area without taking any of her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴³⁴

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

⁴³³ ICC-01/05-01/08-2017-Conf-Exp-Anx99; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 79 to 80.

⁴³⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx99, pages 4 to 5.

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 Bangui on 28 October 2002.

Applicant [REDACTED]⁴³⁵

Claim to victim status

The applicant claims that between 25 and 30 October 2002, seven Banyamulengués came to her house, located in Bangui. She states that one of the men threw her onto the bed and seven Banyamulengués raped her one after the other in front of her children. She adds that they took a sum of money. She claims that they ordered her to leave the area without taking any of her belongings. She states that she sought refuge in [REDACTED] located [REDACTED] kilometres away from Bangui. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴³⁶

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁴³⁷ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these

⁴³⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx100; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 81 to 82.

⁴³⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx100, pages 4 to 5.

⁴³⁷ 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.

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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui between 25 and 30 October 2002.

Applicant [REDACTED]⁴³⁸

Claim to victim status

The applicant states that on 31 October 2002, when Jean-Pierre Bemba's Banyamulengués, who were speaking Lingala, came to his house, located in the village of [REDACTED] PK [REDACTED], they started shooting at the door and when his cousin opened it, they started beating him. The applicant claims that when he came, they started to hit him as well until he gave them money. He adds that he was able to stop them from beating his cousin by talking with the commander of the troops. He further claims that his belongings and money were pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴³⁹

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

⁴³⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx101; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 83 to 84.

⁴³⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx101, pages 4 to 5 and 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] PK[REDACTED] on 31 October 2002.

Applicant [REDACTED]⁴⁴⁰

Claim to victim status

The applicant states that on 31 October 2002, Jean-Pierre Bemba's troops, who were speaking Lingala, came to his house, located in the village of [REDACTED] PK[REDACTED], pointed their guns at him and then proceeded to eat and drink everything they found and pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁴¹

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] PK[REDACTED] on 31 October 2002.

Applicant [REDACTED]⁴⁴²

⁴⁴⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx102; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 85 to 86.

⁴⁴¹ ICC-01/05-01/08-2017-Conf-Exp-Anx102, pages 4 to 5.

⁴⁴² ICC-01/05-01/08-2017-Conf-Exp-Anx103; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 87 to 88.

Claim to victim status

The applicant states that in November 2002, Mr Bemba's troops invaded the [REDACTED] in PK [REDACTED] and started shooting in the air, which caused her to flee from her house to [REDACTED] and then to Chad. She states that while she was away, her belongings were pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁴³

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 PK [REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]⁴⁴⁴

Claim to victim status

The applicant states that on 10 November 2002, Jean-Pierre Bemba's men came to her house, located in [REDACTED] and proceeded to rape two of her daughters and torture her sons. Further, she claims that they pillaged her belongings. She claims that she asked for help, but no one assisted her until the following day. As a

⁴⁴³ ICC-01/05-01/08-2017-Conf-Exp-Anx103, pages 4 to 5.

⁴⁴⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx104; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 89 to 90.

result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴⁵

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 daughters 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 10 November 2002.

Applicant [REDACTED]⁴⁴⁶

Claim to victim status

The applicant states that on 15 March 2003, Mr Bemba's troops entered the village of [REDACTED] and proceeded to pillage his belongings and livestock. Further, he alleges that they shot his brother. The applicant states that as a result of the crimes committed, he ordered the population to act in self-defense and, as a result, they killed six Banyamulengués whose weapons were given back to the State. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴⁷

⁴⁴⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx104, pages 4 to 5.

⁴⁴⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx105; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 91 to 92.

⁴⁴⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx105, pages 4 to 5.

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 and kinship with his brother, 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 15 March 2003.

Applicant [REDACTED]⁴⁴⁸

Claim to victim status

The applicant states that on 15 March 2003, Jean-Pierre Bemba's Banyamulengués entered his house, located in [REDACTED] pillaged his belongings, and then took him hostage for a period of two weeks, tortured him and forced him to carry their loot. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁴⁹

Analysis and conclusions

The Chamber notes a discrepancy of nine 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

⁴⁴⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx106; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 93 to 94.

⁴⁴⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx106, pages 4 to 5.

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 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] [REDACTED] on an unspecified date on and as of 15 March 2003.

Applicant [REDACTED]⁰

Claim to victim status

The applicant states that on 15 March 2003, the Banyamulengués came to [REDACTED] [REDACTED] shooting their heavy weapons, which caused the people of the village to panic and flee to the bush. The applicant alleges that ten Banyamulengués entered his house, pillaged his belongings and livestock and tried to rape his wife but that he stopped them. He further asserts that he took a Banyamulengué hostage and turned him over to the population, who killed him with machetes. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁵¹

Analysis and conclusions

⁴⁵⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx107; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 95 to 96.

⁴⁵¹ ICC-01/05-01/08-2017-Conf-Exp-Anx107, pages 4 to 5.

The Chamber notes a discrepancy of one day and one year 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 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 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] [REDACTED] on 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, the Banyamulengués came to her house, located in [REDACTED] where she was together with her two-month-old baby. The applicant alleges that the Banyamulengués raped her one after the other and threw her baby out of the house into the bush. She further alleges that while she was unconscious, they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁵³

Analysis and conclusions

⁴⁵² ICC-01/05-01/08-2017-Conf-Exp-Anx108; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 97 to 98.

⁴⁵³ ICC-01/05-01/08-2017-Conf-Exp-Anx108, 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 15 March 2003.

Applicant [REDACTED]⁴⁵⁴

Claim to victim status

The applicant states that on 15 March 2003, he heard on the radio that President Bozizé had overthrown President Patassé, but later that day about fifty Banyamulengués came to his house, located in [REDACTED]. The applicant alleges that they found him outside his house with his wife, hit his wife with the butt of a gun, breaking her ribs, and took him hostage and forced him to carry their loot for three days. He further alleges that when he returned, he discovered that they had pillaged all his belongings and goats. The applicant lists his loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁵⁵

Analysis and conclusions

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

⁴⁵⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx109; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 99 to 100.

⁴⁵⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx109, 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] on 15 March 2003.

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 15 March 2003, Jean-Pierre Bemba's MLC troops, who were speaking Lingala, came to his house, located in [REDACTED] demanded food and money, pillaged all his belongings and livestock and forced him to help them carry their loot. He further asserts that he managed to take a knife and stabbed two Banyamulengués. The applicant lists his loss. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁴⁵⁷

Analysis and conclusions

The Chamber notes a discrepancy of ten years 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 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.

⁴⁵⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx110; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 101 to 102.

⁴⁵⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx110, 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] on 15 March 2003.

Applicant [REDACTED]⁴⁵⁸

Claim to victim status

The applicant states that on 15 March 2003, Mr Bemba's MLC troops came to his house, located in [REDACTED] raped his wife, shined a flashlight in his one-month-old baby's eyes, tortured him with their weapons until he lost consciousness, and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁴⁵⁹

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 wife 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

⁴⁵⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx111; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 103 to 104.

⁴⁵⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx111, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 15 March 2003.

Applicant [REDACTED]⁴⁶⁰

Claim to victim status

The applicant states that on 15 March 2003, Mr Bemba's MLC troops arrived in the [REDACTED] village, firing their weapons. The applicant alleges that they forced him, his wife and his child to get out of the house. He adds that they hit his seven-year-old child, who almost died that day, raped his wife one after the other, beat him with the butt of a gun, and when they saw that he was tired, they let him go so that they could pillage the belongings from the house. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶¹

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 wife 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 15 March 2003.

⁴⁶⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx112; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 105 to 106.

⁴⁶¹ ICC-01/05-01/08-2017-Conf-Exp-Anx112, pages 4 to 5.

Applicant [REDACTED]⁴⁶²

Claim to victim status

The applicant states that on 15 March 2003, the Banyamulengués came to his house, located in [REDACTED] and found him at home with his family. He alleges that he told his wife to go inside and hide under the bed and that the Banyamulengués pointed their guns at him and asked him to show them where he hid his property. He further alleges that the others went into the house and found his wife, raped her and pillaged his belongings. He claims that they took him hostage to show them the river and after five days in the bush, he fled. He lists his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶³

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 wife 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 15 March 2003.

⁴⁶² ICC-01/05-01/08-2017-Conf-Exp-Anx113; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 107 to 108.

⁴⁶³ ICC-01/05-01/08-2017-Conf-Exp-Anx113, pages 4 to 5.

Applicant [REDACTED]⁴⁶⁴

Claim to victim status

The applicant states that on 15 March 2003, Mr Bemba's MLC troops came to her house, located in [REDACTED] and 45 Banyamulengués raped her for one hour as a result of which she lost consciousness for two days. The applicant adds that they broke the doors of her house and pillaged all her belongings. Further, she states that her oldest daughter was taken hostage for one week and forced to carry their goods. She lists her loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁶⁵

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 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, nineteen armed Banyamulengués, thirteen men and six women, came to her house, located in [REDACTED] took her

⁴⁶⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx114; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 109 to 110.

⁴⁶⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx114, pages 4 to 5.

⁴⁶⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx115; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 111 to 112.

husband hostage and forced him to carry a Banyamulengué woman who had been shot in the back. The applicant declares that three Banyamulengués raped her one after the other and pillaged her belongings. The applicant lists her loss and asserts that she discovered after the alleged events that she had HIV/AIDS. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁶⁷

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 15 March 2003.

Applicant [REDACTED]⁴⁶⁸

Claim to victim status

The applicant states that at the end of October 2002, when the attacks started, they fled from their house, located in the [REDACTED] area of Bangui, to PK [REDACTED]. The applicant adds that when his father was on his way back from work, he was shot and killed by the Banyamulengués. He appends to the application form his father's death certificate. Furthermore, the applicant states that upon his return to his house in [REDACTED] he found that his property was pillaged and damaged. As a

⁴⁶⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx115, pages 4 to 5.

⁴⁶⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx243; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 7 to 8.

result of the alleged events, the applicant claims to suffered psychological and material harm.⁴⁶⁹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and his father, as well as the kinship between them.

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 murder of his father and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on an unspecified date as of 26 October 2002.

Applicant [REDACTED]⁴⁷⁰

Claim to victim status

The applicant states that in the end of October and the beginning of November 2002, Jean-Pierre Bemba's Banyamulengués invaded PK [REDACTED] and came to his compound, where they threatened him and raped his cousin's wife, who was subsequently infected with HIV, and adds that both her and her husband died later as a consequence of this disease. The applicant states that he fled together with his family to PK [REDACTED] where they took refuge for a period of three months and upon their return, he found that his house and shop had been pillaged and destroyed. He appends a document in which he lists and values his loss. As a

⁴⁶⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx243, pages 9 to 11, 18 and 22.

⁴⁷⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx313; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 9 to 10.

result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷¹

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 cousin's wife 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 PK [REDACTED] on an unspecified date between 26 October 2002 and November 2002.

Applicant [REDACTED]⁴⁷²

Claim to victim status

The applicant states in the original application that on 28 October 2002, Jean-Pierre Bemba's soldiers came to his house, located in the [REDACTED] area of PK [REDACTED] forced him to undress and treated him as a rebel. He adds that they took him prisoner and brought him to their base on the road to [REDACTED] where he stayed for two days. He adds that he was tortured there, whereupon his left foot became paralyzed, and he did not have any water or food. He further states that he was rescued by a troop of the Presidential Guard. However, in a document appended

⁴⁷¹ ICC-01/05-01/08-2017-Conf-Exp-Anx313, pages 9 to 11 and 18 to 20.

⁴⁷² ICC-01/05-01/08-2017-Conf-Exp-Anx344; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 11 to 12.

to the application form, the applicant states that on 28 October 2002, when the Banyamulengués came to his house, located in PK[REDACTED], Bangui, he was alone, as his family members had already fled. According to the applicant, the soldiers threw him out of the house and beat him, wounding his leg and they then entered the house and pillaged his property. The applicant states that some of the Banyamulengués intended to kill him but one of them opposed to killing him and they subsequently left. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁷³

Analysis and conclusions

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

The Chamber notes that in the additional statement, the applicant indicates that his belongings were pillaged in his house in his presence on 28 October 2002, that his foot became paralyzed as a result of the assault and that the Banyamulengués eventually left. However, in the original application it is stated that the Banyamulengués arrived at the applicant's house on 28 October 2002, thought he was a rebel, and took him to their base where he was held hostage and tortured for two days, during which time his leg was hurt, until he was released thanks to a troop of the Presidential Guard. The Chamber is of the view that these inconsistencies undermine the credibility of the applicant and therefore the application for participation in the proceedings is rejected.

Applicant [REDACTED]⁴⁷⁴

⁴⁷³ ICC-01/05-01/08-2017-Conf-Exp-Anx344, pages 9 to 11, 18 and 21.

⁴⁷⁴ ICC-01/05-01/08-2017-Conf-Exp-Anx345; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 13 to 14.

Claim to victim status

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

It is stated that in January 2003, the applicant was intercepted in PK[REDACTED] by the Banyamulengués, who tortured and injured him. It is further claimed that because of the injuries, the applicant could not work as before anymore and he eventually died in October 2003, as confirmed by the death certificate appended to the application form. The person acting on behalf of the applicant adds that the applicant was very discrete about what had happened to him and did not reveal to his siblings the circumstances under which torture occurred nor did he go to a clinic as he could not afford it. As a result of the alleged events, it is claimed that the applicant suffered physical and psychological harm.⁴⁷⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of 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 states that the applicant did not specify the precise circumstances of the torture causing the injuries. Given that there are no indications that a crime falling under the scope of the charges has been committed and that the death of the applicant occurred ten months after the alleged attack, the application for participation in the proceedings is rejected.

Applicant [REDACTED]⁴⁷⁶

⁴⁷⁵ ICC-01/05-01/08-2017-Conf-Exp-Anx345, pages 9 to 11, 20 and 22.

⁴⁷⁶ ICC-01/05-01/08-2017-Conf-Exp-Anx346; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 15 to 16.

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 November 2002, armed soldiers of Jean-Pierre Bemba came to the family house to pillage their ducks. It is further stated that when the applicant tried to save the livestock, she was shot at in her pelvic area by one of the Banyamulengués and died a few months later on 15 February 2003 in [REDACTED]

However, in a document appended to the application form, it is stated that on 8 November 2002, the Banyamulengués came to the applicant's house to pillage her ducks, and when the applicant tried to resist the pillage, they raped her and violently beat her in her pelvic area, which led to her death on 8 February 2003. A death certificate is appended to the application form where it is stated that the death occurred on [REDACTED] January 2003. Furthermore, the person acting on behalf of the applicant claims that on 31 October 2002, the Banyamulengués arrived in [REDACTED] and on 1 November 2002, a group of soldiers came to his house and threatened him and his family members and pillaged the entire property. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm. Furthermore, the person acting on behalf of the applicant also claims to have suffered material harm.⁴⁷⁷

Analysis and conclusions

⁴⁷⁷ ICC-01/05-01/08-2017-Conf-Exp-Anx346, pages 9 to 11, 18, 21 and 23.

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

The Chamber notes that in the additional statement, it is stated that the Banyamulengués came to the applicant's house to pillage her ducks, and when the applicant tried to resist the pillage, they raped her and violently beat her, which led to her death on 8 February 2003. However, in the original application it is stated that the applicant was shot at by one of the Banyamulengués and died a few months later on 15 February 2003. Given the inconsistencies related to the circumstances of the applicant's death and the date of death as written in the application form, in the appended document and in the death certificate, as well as the circumstances of her alleged rape, only the crime of pillage will be considered for the purpose of the present assessment.

Having considered the application as a whole, the Chamber considers that, overall, sufficient evidence has been provided on behalf of the applicant 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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 November 2002. Furthermore, the Chamber considers that, overall, the person acting on behalf of 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]⁴⁷⁸

Claim to victim status

The applicant states that in February 2003, on his way to Bangui, he was intercepted by the Banyamulengués in the area of PK [REDACTED]. According to the applicant, after the soldiers forced him and the other passengers to load their merchandise in their trucks, they also asked him for money and he gave them all the money he had on him. He further alleges that the Banyamulengués beat, tortured and held them hostage for a period of three days without giving them any food, and, during the third day, they started shooting in the air and ordered them to leave. The applicant states that he fled to the bush and, upon his return to his house located in PK [REDACTED], he found that his property was also pillaged. The applicant lists part of his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁷⁹

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 PK [REDACTED] on an unspecified date as of February 2003.

⁴⁷⁸ ICC-01/05-01/08-2017-Conf-Exp-Anx347; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 17 to 18.

⁴⁷⁹ ICC-01/05-01/08-2017-Conf-Exp-Anx347, pages 9 to 11 and 22.

Applicant [REDACTED]⁴⁸⁰

Claim to victim status

The applicant states that on 10 November 2002, the Banyamulengués came to his house, located in [REDACTED] knocked over his sister and father and pillaged the belongings from his parents' house. The applicant states that his house was behind his parents' house and when he came to see what was going on, a group of five Banyamulengués threw themselves at him in order to take his watch and when he tried to resist, they hit him and he fell on the ground. He adds that they then went to his house and pillaged all his belongings and destroyed the doors and windows. 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 physical and material harm.⁴⁸¹

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 10 November 2002.

Applicant [REDACTED]⁴⁸²

⁴⁸⁰ ICC-01/05-01/08-2017-Conf-Exp-Anx348; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 19 to 20.

⁴⁸¹ ICC-01/05-01/08-2017-Conf-Exp-Anx348, pages 9 to 11, 20 to 23 and 25.

⁴⁸² ICC-01/05-01/08-2017-Conf-Exp-Anx349; ICC-01/05-01/08-2019-Conf-Exp-Anx3, pages 21 to 22.

Claim to victim status

The applicant states that on 20 November 2002, Jean-Pierre Bemba's troops came to his house, located in [REDACTED] threatened him and pillaged the family house, including his personal belongings. The applicant appends a document in which he lists and values his loss. He adds that two days later, his small shop located in the market was also pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁸³

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 20 November 2002.

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Applicant [REDACTED]⁴⁸⁴

Claim to victim status

The applicant states that on 11 November 2002, the Banyamulengués came to her house, located in Bangui, PK [REDACTED], where she was with her children and husband. She states that four of the men proceeded to rape her one after the other and then

⁴⁸³ ICC-01/05-01/08-2017-Conf-Exp-Anx349, pages 9 to 11, 18 and 20.

⁴⁸⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx102; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 5 to 6.

the men pillaged her belongings. She claims that her husband subsequently abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁸⁵

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 PK[REDACTED] on 11 November 2002.

Applicant [REDACTED]⁴⁸⁶

Claim to victim status

The applicant states that on 11 November 2002, Mr Bemba's troops arrived at his house, located in the [REDACTED] area of PK[REDACTED] and pillaged his personal belongings as well as his clients' belongings, which caused him problems with his clients. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁸⁷

Analysis and conclusions

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

⁴⁸⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx102, pages 4 to 5.

⁴⁸⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx107; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 7 to 8.

⁴⁸⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx107, 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 the [REDACTED] area of PK [REDACTED] on 11 November 2002.

Applicant [REDACTED]⁴⁸⁸

Claim to victim status

The applicant states that on 8 November 2002, on his way back from a trip with his boss, they came across Jean-Pierre Bemba's troops in PK [REDACTED], on the road to [REDACTED] who proceeded to pillage his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁸⁹

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 PK [REDACTED] on 8 November 2002.

⁴⁸⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx108; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 9 to 10.

⁴⁸⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx108, pages 4 to 5.

Applicant [REDACTED]⁴⁹⁰

Claim to victim status

The applicant states that on 8 November 2002, when Mr Bozizé's troops occupied the area of PK [REDACTED], she and her family fled. She states that a few days later, Mr Bemba's troops, whom they thought would bring peace, arrived. She claims that when they left their refuge to see what was happening, they were caught by the Banyamulengués who proceeded to rape her and her daughter and pillaged their belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁹¹

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 and kinship with her daughter, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on an unspecified date as of 8 November 2002.

Applicant [REDACTED]²

⁴⁹⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx109; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 11 to 12.

⁴⁹¹ ICC-01/05-01/08-2042-Conf-Exp-Anx109, pages 4 to 5.

⁴⁹² ICC-01/05-01/08-2042-Conf-Exp-Anx110; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 13 to 14.

Claim to victim status

The applicant states that on 10 November 2002, Jean-Pierre Bemba's Banyamulengués entered her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED], and proceeded to rape her and her mother one after the other. She claims that she was infected with HIV as a result. Further, she states that they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁹³

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 and kinship with her mother, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] PK [REDACTED] on 10 November 2002.

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 10 November 2002, she was stopped by the Banyamulengués in [REDACTED] PK [REDACTED], and they questioned her in Lingala, a language

⁴⁹³ ICC-01/05-01/08-2042-Conf-Exp-Anx110, pages 4 to 5.

⁴⁹⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx111; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 15 to 16.

she did not understand. Afterwards, she states that one of the men took her two-week-old baby, put it on the ground and then took her behind a house where they raped her one after the other. She states that her husband abandoned her as a result. Further, she claims that they took her money and belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁹⁵

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 ██████ PK ██████ on 10 November 2002.

Applicant ██████⁴⁹⁶

Claim to victim status

The applicant states that on 7 November 2002, while on his way to Bangui to seek treatment for one of his sisters who was ill, their vehicle was stopped in ██████ and the men tried to rape his two sisters. He states that when they refused to sleep with the men, both of his sisters were killed, and all of their baggage and belongings were pillaged. He further claims that he spent two days in the bush before returning home with the news. The applicant holds Mr Bemba

⁴⁹⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx111, pages 4 to 5.

⁴⁹⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx114; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 17 to 18.

responsible for the crimes. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁷

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 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 7 November 2002.

Applicant [REDACTED]⁴⁹⁸

Claim to victim status

The applicant states that on 9 November 2002, the armed Banyamulengués came to her house, located in the [REDACTED] area of PK [REDACTED], where she was with her three children, and asked for the whereabouts of her husband. She claims to have told them that he was on a trip, whereupon three of the armed men forced her into the bedroom and raped her one after the other. She further claims that they pillaged her belongings before leaving her house. As a result of the alleged

⁴⁹⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx114, pages 4 to 5.

⁴⁹⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx116; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 19 to 20.

events, the applicant claims to have suffered physical, psychological, and material harm.⁴⁹⁹

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 the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]⁵⁰⁰

Claim to victim status

The applicant states that on 10 November 2002, he fled from his house, located in [REDACTED] PK [REDACTED]. He claims that during his absence, his mother and father were killed and his belongings were pillaged by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁰¹

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

⁴⁹⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx116, pages 4 to 5.

⁵⁰⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx117; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 21 to 22.

⁵⁰¹ ICC-01/05-01/08-2042-Conf-Exp-Anx117, pages 4 to 5.

identity of his parents 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] PK [REDACTED] on an unspecified date as of 10 November 2002.

Applicant [REDACTED]⁵⁰²

Claim to victim status

The applicant states that on 8 November 2002, while he was on his way to check on the progress of a house he was building in PK [REDACTED], he was stopped at a checkpoint in PK [REDACTED] by the Banyamulengués. He claims that the men proceeded to take everything he had on him, tortured him, and held him hostage because they believed he was a spy for Mr Bozizé's troops. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵⁰³

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

⁵⁰² ICC-01/05-01/08-2042-Conf-Exp-Anx118; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 23 to 24.

⁵⁰³ ICC-01/05-01/08-2042-Conf-Exp-Anx118, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵⁰⁴

Claim to victim status

The applicant states that on 10 November 2002, upon her return from the fields with her brother, she was raped by four Banyamulengués on the road to [REDACTED] near PK[REDACTED]. She further states that they pillaged everything she had with her, and she was forced to return to [REDACTED] due to the mockery and shame she experienced in her area. She adds that her husband also abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological, and material harm.⁵⁰⁵

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 PK[REDACTED] on 10 November 2002.

Applicant [REDACTED]⁵⁰⁶

⁵⁰⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx119; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 25 to 26.

⁵⁰⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx119, pages 4 to 5.

⁵⁰⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx120; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 27 to 28.

Claim to victim status

The applicant states that on 10 November 2002, she was raped by five Banyamulengués in the [REDACTED] area of Bangui as she was trying to escape from the hostilities. She states that the men also took some of her belongings from her bag. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁰⁷

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 the [REDACTED] area of Bangui on 10 November 2002.

Applicant [REDACTED]⁵⁰⁸

Claim to victim status

The applicant states that on 9 November 2002, his fourteen and twelve-year-old daughters were raped and his belongings were pillaged from his house, located in the [REDACTED] area of PK [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰⁹

⁵⁰⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx120, pages 4 to 5.

⁵⁰⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx123; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 29 to 30.

⁵⁰⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx123, pages 4 to 5.

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 daughters 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 the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]⁵¹⁰

Claim to victim status

The applicant states that on 13 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house, located in the [REDACTED] area of PK [REDACTED], where he was with his family. He states that they proceeded to intimidate him and pillage his belongings, as well as those of the other members of his household. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵¹¹

Analysis and conclusions

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

⁵¹⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx125; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 31 to 32.

⁵¹¹ ICC-01/05-01/08-2042-Conf-Exp-Anx129, 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 the [REDACTED] area of PK [REDACTED] on 13 November 2002.

Applicant [REDACTED]⁵¹²

Claim to victim status

The applicant states that on 8 November 2002, she was at home with her ill father, in the [REDACTED] area of PK [REDACTED], [REDACTED] when the Banyamulengués entered their home. She alleges that she was raped, in front of her father, by four Banyamulengués and that her house was pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹³

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 the [REDACTED] area of PK [REDACTED] on 8 November 2002.

⁵¹² ICC-01/05-01/08-2042-Conf-Exp-Anx129; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 33 to 34.

⁵¹³ ICC-01/05-01/08-2042-Conf-Exp-Anx129, pages 4 to 5.

Applicant [REDACTED]⁵¹⁴

Claim to victim status

The applicant states that on 9 November 2002, when the Banyamulengués entered her house located in the [REDACTED] area of PK [REDACTED] she was with her brother. The applicant alleges that they demanded money and when the applicant's brother did not give them money because he did not have any, the Banyamulengués undressed her and proceeded to rape her in front of her brother and pillaged the belongings from the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁵

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 the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]⁵¹⁶

⁵¹⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx130; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 35 to 36.

⁵¹⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx130, pages 4 to 5.

⁵¹⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx131; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 37 to 38.

Claim to victim status

The applicant states that on 7 November 2002, she was on her way to her house from PK[REDACTED] to the [REDACTED] area of PK[REDACTED], when she heard the firing of heavy weapons. The applicant alleges that four of Jean-Pierre Bemba's armed Banyamulengués arrested her, threatened her, and two of them raped her, which caused her to bleed, and took her shoes and her bag. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁷

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 the [REDACTED] area of PK[REDACTED] on 7 November 2002.

Applicant [REDACTED]⁵¹⁸

Claim to victim status

The applicant states that on 8 November 2002, she was at home in the [REDACTED] area of PK[REDACTED] with her six-month-old daughter when Mr Bemba's men came into her house. She claims that they asked her where her husband was

⁵¹⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx131, pages 4 to 5.

⁵¹⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx132; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 39 to 40.

and she told them he was on a trip. The applicant alleges that subsequently, three Banyamulengués raped her, which caused her divorce with her husband, and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁹

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 the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵²⁰

Claim to victim status

The applicant states that on 10 November 2002, the Banyamulengués came to her house located in the [REDACTED] [REDACTED] area of PK [REDACTED]. She alleges that the Banyamulengués raped her, her mother and her sisters and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²¹

Analysis and conclusions

⁵¹⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx132, pages 4 to 5.

⁵²⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx135; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 41 to 42.

⁵²¹ ICC-01/05-01/08-2042-Conf-Exp-Anx135, pages 4 to 5.

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 sisters and the kinship between them, only the rape of the applicant, the rape of her mother and 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 her rape, the rape of her mother and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 10 November 2002.

Applicant [REDACTED]⁵²²

Claim to victim status

The applicant states that on 9 November 2002, she had returned with her child to her fiancé's home in the [REDACTED] area of PK [REDACTED]. She alleges that five Banyamulengués came to her house, raped her and pillaged her belongings. She further claims that once her fiancé learned of her rape he left her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²³

Analysis and conclusions

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

⁵²² ICC-01/05-01/08-2042-Conf-Exp-Anx136; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 43 to 44.

⁵²³ ICC-01/05-01/08-2042-Conf-Exp-Anx136, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 9 November 2002.

Applicant [REDACTED]⁵²⁴

Claim to victim status

The applicant states that on 11 November 2002, she was at home with her children in the [REDACTED] area of PK [REDACTED] when Mr Bemba's troops arrived. She alleges that four Banyamulengués raped her and pillaged her property. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²⁵

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 the [REDACTED] area of PK [REDACTED] on 11 November 2002.

⁵²⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx137; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 45 to 46.

⁵²⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx137, pages 4 to 5.

Applicant [REDACTED]⁵²⁶

Claim to victim status

The applicant states that on 8 November 2002, the Banyamulengués entered PK [REDACTED], shooting their guns. She alleges that when they entered her house she hid in her room and they started pillaging her belongings and inflicted sexual violence upon her. She further alleges that she contracted HIV as a consequence of the assault by the Banyamulengués. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²⁷

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 PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵²⁸

Claim to victim status

⁵²⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx198; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 47 to 48.

⁵²⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx198, pages 4 to 5.

⁵²⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx199; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 49 to 50.

The applicant states that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués came to her house, located in Bangui, PK[REDACTED] and pillaged her belongings. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵²⁹

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 PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵³⁰

Claim to victim status

The applicant states that on 7 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house, located in Bangui, PK[REDACTED] and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵³¹

Analysis and conclusions

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

⁵²⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx199, pages 4 to 5.

⁵³⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx201; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 51 to 52.

⁵³¹ ICC-01/05-01/08-2042-Conf-Exp-Anx201, 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 PK[REDACTED] on 7 November 2002.

Applicant [REDACTED]⁵³²

Claim to victim status

The applicant states that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house, located in Bangui, PK[REDACTED] and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵³³

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 PK[REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵³⁴

⁵³² ICC-01/05-01/08-2042-Conf-Exp-Anx203; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 53 to 54.

⁵³³ ICC-01/05-01/08-2042-Conf-Exp-Anx203, pages 4 to 5.

⁵³⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx204; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 55 to 56.

Claim to victim status

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

It is stated that between 8 and 9 November 2002, while the applicant was on her way to Bangui with her older sister to receive medical care, the vehicle they had rented was stopped by Mr Bemba's Banyamulengués in [REDACTED]. It is stated that when the applicant refused to sleep with them, they shot her and her sister dead. The person acting on behalf of the applicant appends a death certificate stating that the death occurred on 8 November 2002. Further, it is stated that the applicant's belongings were pillaged. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.⁵³⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her father, who is acting on her behalf, as well as the kinship between them. However in the absence of any document demonstrating the identity of and kinship with her sister, only the applicant's murder, the harm suffered by the person acting on behalf of the applicant and pillage will be considered for the purpose of the present assessment.

Having considered the application as a whole, 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 murder and the

⁵³⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx204, pages 4 to 5.

pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 8 November 2002. Further, the Chamber considers that, overall, the person acting on behalf of 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 murder of his daughter by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 8 November 2002.

Applicant [REDACTED]⁵³⁶

Claim to victim status

The applicant states that on 10 November 2002, while she was at her husband's house, located in the [REDACTED] area of PK[REDACTED], Jean-Pierre Bemba's Banyamulengués arrived and proceeded to rape her. Further, she states that they pillaged the house. She also states that because of what the population was saying, she was forced to leave PK[REDACTED] and she still continues to be stigmatised. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵³⁷

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 pillaged the items of the house. Hence, in the absence of any indication that her personal

⁵³⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx206; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 57 to 58.

⁵³⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx206, pages 4 to 5.

belongings were also pillaged, only the applicant's rape 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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 10 November 2002.

Applicant [REDACTED]⁵³⁸

Claim to victim status

The applicant states that on 8 November 2002, when she was living in her uncle's house, located in [REDACTED] PK [REDACTED], Jean-Pierre Bemba's Banyamulengués entered the house and three of them proceeded to rape her and her uncle's wife. She claims that this humiliation forced them to leave their house. Further, she states that they pillaged the house, including her personal belongings which she lists. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵³⁹

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

⁵³⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx207; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 59 to 60.

⁵³⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx207, pages 4 to 5.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ PK ██████ on 8 November 2002.

Applicant ██████⁵⁴⁰

Claim to victim status

The applicant states that on 8 November 2002, he was at his shop, located in PK ██████, when Jean-Pierre Bemba's Banyamulengués arrived. He states that he packed some valuable products in a cart and while he was trying to escape to the ██████ area, three Banyamulengués stopped him and pillaged his merchandise. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴¹

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 PK ██████ on 8 November 2002.

Applicant ██████⁵⁴²

Claim to victim status

⁵⁴⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx208; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 61 to 62.

⁵⁴¹ ICC-01/05-01/08-2042-Conf-Exp-Anx208, pages 4 to 5.

⁵⁴² ICC-01/05-01/08-2042-Conf-Exp-Anx209; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 63 to 64.

The applicant states that on 8 November 2002, she was with her parents when the Banyamulengués came to her house, located in the [REDACTED] area of PK [REDACTED]. She further asserts that the soldiers raped her as well as her mother before pillaging the house, including her clothes and her shoes. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁴³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate both the identities of the applicant and her mother, as well as 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 her rape, the rape of her mother and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]⁵⁴⁴

Claim to victim status

The applicant states that on 10 November 2002, the Banyamulengués came to her house, located in the [REDACTED] area of PK [REDACTED]. She further asserts that the soldiers came to her bedroom and pillaged her belongings. She lists and values her loss.

⁵⁴³ ICC-01/05-01/08-2042-Conf-Exp-Anx209, pages 4 to 5.

⁵⁴⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx210; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 65 to 66.

As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁴⁵

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 PK [REDACTED] on 10 November 2002.

Applicant [REDACTED]⁵⁴⁶

Claim to victim status

The applicant states that on 11 November 2002, the Banyamulengués came to his house, located in the [REDACTED] area of PK [REDACTED]. He further states that his wife and children fled to the bush and that he stayed to watch the house. He asserts that the soldiers severely beat him before pillaging all of his belongings. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁴⁷

Analysis and conclusions

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

⁵⁴⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx210, pages 4 to 5.

⁵⁴⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx213; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 67 to 68.

⁵⁴⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx213, 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 the [REDACTED] area of PK [REDACTED] on 11 November 2002.

Applicant [REDACTED]⁵⁴⁸

Claim to victim status

The applicant states that on 7 November 2002, the Banyamulengués came to his compound, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. He further states that they pillaged some of his belongings, destroyed others and that he could not finish his studies as a result. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴⁹

Analysis and conclusions

The Chamber notes a discrepancy of eighteen 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 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 he is a victim under Rule 85(a) on the basis

⁵⁴⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx214; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 69 to 70.

⁵⁴⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx214, 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] PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]⁵⁵⁰

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 November 2002, the applicant was travelling from [REDACTED] to Bangui, together with her sister when they were intercepted by the Banyamulengués in [REDACTED] located [REDACTED] kilometres away from Bangui. It is further stated that the soldiers killed the applicant as well as her sister after they tried to rape them and they resisted. Further, it is stated that the soldiers pillaged the applicant's belongings. The person acting on behalf of the applicant appends a death certificate stating that the death occurred on 8 November 2002. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. In addition, the person acting on behalf claims to have suffered psychological harm.⁵⁵¹

Analysis and conclusions

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

⁵⁵⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx215; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 71 to 72.

⁵⁵¹ ICC-01/05-01/08-2042-Conf-Exp-Anx215, pages 4 to 5.

Having considered the application as a whole, 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 murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 8 November 2002. Further, the Chamber considers that, overall, the person acting on behalf of 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 murder of his daughter by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 8 November 2002.

Applicant [REDACTED]⁵⁵²

Claim to victim status

The applicant states that on 7 November 2002, the Banyamulengués came to his compound, located in the [REDACTED] area of PK [REDACTED]. He further states that Mr Bemba's men pillaged his belongings. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁵³

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

⁵⁵² ICC-01/05-01/08-2042-Conf-Exp-Anx217; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 73 to 74.

⁵⁵³ ICC-01/05-01/08-2042-Conf-Exp-Anx217, 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 PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]⁵⁵⁴

Claim to victim status

The applicant states that between 1 November and 7 November 2002, when the Banyamulengués came to the [REDACTED] area of Bangui, PK [REDACTED], he fled to the bush. The applicant alleges that during this time, his house was pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁵⁵

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 Bangui on an unspecified date between 1 and 7 November 2002.

Applicant [REDACTED]⁵⁵⁶

⁵⁵⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx254; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 75 to 76.

⁵⁵⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx254, pages 4 to 5.

⁵⁵⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx255; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 77 to 78.

Claim to victim status

The applicant states that on 5 or 6 November 2002, her younger brother was shot dead by the Banyamulengués in [REDACTED] about [REDACTED] kilometres away from Bangui on the road to [REDACTED]. The applicant submits her brother's death certificate confirming that he died on 5 or 6 November 2002. As a result of the alleged events, the applicant claims to have suffered psychological harm.⁵⁵⁷

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her brother, as well as 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 brother by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 5 or 6 November 2002.

Applicant [REDACTED]⁵⁵⁸

Claim to victim status

The applicant states that in the night of 28 October 2002, the Banyamulengués invaded [REDACTED] and in the morning of 29 October 2002, around fifteen Banyamulengués came to his house, located in Bangui. According to the applicant, they ordered him and his family to hand over their belongings, specifying that if they refused to do so, they would all be killed. The applicant claims that, in order to save their lives, he showed them the warehouse and gave

⁵⁵⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx255, pages 4 to 5.

⁵⁵⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx256; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 79 to 80.

them the key to his room. The applicant adds that his son tried to flee and the Banyamulengués shot him in the back twice and killed him. He further states that they pillaged all of his belongings. The applicant appends a copy of his son's death certificate indicating that he died on [REDACTED] October 2002. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁵⁹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant and his son, as well as the kinship between them.

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 murder of his son and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on an unspecified date on and as of 29 October 2002.

Applicant [REDACTED]⁵⁶⁰

Claim to victim status

The applicant states that between 26 and 30 October 2002, the Banyamulengués were in the [REDACTED] area of Bangui, PK [REDACTED]. She alleges that she fled to another location and while she was absent, all her merchandise was pillaged. The

⁵⁵⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx256, pages 4 to 5 and 11.

⁵⁶⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx257; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 81 to 82.

applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁶¹

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 Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]⁵⁶²

Claim to victim status

The applicant states that between 26 and 31 October 2002, when the Banyamulengués came to the [REDACTED] area of Bangui, he fled with his family to a different area. He states that upon his return, he discovered that his house had been ransacked and pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁶³

Analysis and conclusions

⁵⁶¹ ICC-01/05-01/08-2042-Conf-Exp-Anx257, pages 4 to 5.

⁵⁶² ICC-01/05-01/08-2042-Conf-Exp-Anx258; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 83 to 84.

⁵⁶³ ICC-01/05-01/08-2042-Conf-Exp-Anx258, 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 Bangui on an unspecified date between 26 and 31 October 2002.

Applicant [REDACTED]⁵⁶⁴

Claim to victim status

The applicant states that in the night of 28 October 2002 and in the morning of 29 October 2002, armed Banyamulengués, who were speaking Lingala, came to the [REDACTED] area of Bangui, PK [REDACTED]. The applicant alleges that they came to her house, threatened to kill her and asked her where the belongings were hidden and then proceeded to pillage her property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁶⁵

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

⁵⁶⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx259; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 85 to 86.

⁵⁶⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx259, pages 4 to 5.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 and 29 October 2002.

Applicant [REDACTED]⁵⁶⁶

Claim to victim status

The applicant states that between 25 and 30 October 2002, the Banyamulengués were in the [REDACTED] area of Bangui and he fled with his family to another area. According to the applicant, upon his return, he discovered 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 psychological and material harm.⁵⁶⁷

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 events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁵⁶⁸ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, 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

⁵⁶⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx260; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 87 to 88.

⁵⁶⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx260, pages 4 to 5.

⁵⁶⁸ 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.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] [REDACTED] area of Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]⁵⁶⁹

Claim to victim status

The applicant states that between 28 and 30 October 2002, the Banyamulengués were in the [REDACTED] area of Bangui, PK [REDACTED]. He alleges that he fled to another area, and upon his return, he discovered that his belongings had been pillaged and his house had been ransacked. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷⁰

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 Bangui on an unspecified date between 28 and 30 October 2002.

Applicant [REDACTED]⁵⁷¹

⁵⁶⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx261; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 89 to 90.

⁵⁷⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx261, pages 4 to 5.

⁵⁷¹ ICC-01/05-01/08-2042-Conf-Exp-Anx262; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 91 to 92.

Claim to victim status

The applicant states that on 28 October 2002, the Banyamulengués were in Bangui and he fled to the bush, where he stayed for a period of three weeks. According to the applicant, upon his return, he discovered that his belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷²

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 Bangui on an unspecified date as of 28 October 2002.

Applicant [REDACTED]⁵⁷³

Claim to victim status

The applicant states that between 25 and 30 October 2002, the Banyamulengués invaded the [REDACTED] area of PK [REDACTED]. She alleges that she fled and upon her return, she discovered that her belongings and livestock had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷⁴

⁵⁷² ICC-01/05-01/08-2042-Conf-Exp-Anx262, pages 4 to 5.

⁵⁷³ ICC-01/05-01/08-2042-Conf-Exp-Anx263; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 93 to 94.

⁵⁷⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx263, 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 applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁵⁷⁵ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. 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 the [REDACTED] area of PK [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]⁵⁷⁶

Claim to victim status

The applicant states that between 28 and 31 October 2002, the Banyamulengués were in the [REDACTED] area of Bangui, PK [REDACTED]. She adds that she fled with her children and upon her return, she discovered that her belongings had been pillaged and her house ransacked. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷⁷

⁵⁷⁵ 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.

⁵⁷⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx264; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 95 to 96.

⁵⁷⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx264, 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 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 PK [REDACTED] on an unspecified date between 28 and 31 October 2002.

Applicant [REDACTED]⁵⁷⁸

Claim to victim status

The applicant states that between 28 October 2002 and 4 November 2002, she was at home with her children, in [REDACTED] PK [REDACTED] when the Banyamulengués arrived. She alleges that they asked for the chief of the house and then twelve of them proceeded to rape her one after the other in front of her five children. She further alleges that they took her money and belongings. She claims that she and her children then fled to take refuge in [REDACTED] located [REDACTED] kilometres away from [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁷⁹

Analysis and conclusions

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

⁵⁷⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx265; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 97 to 98.

⁵⁷⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx265, pages 4 to 5 and 9.

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] PK [REDACTED] on an unspecified date between 28 October 2002 and 4 November 2002.

Applicant [REDACTED]⁵⁸⁰

Claim to victim status

The applicant states that between 26 and 31 October 2002, when the Banyamulengués came to the [REDACTED] area of Bangui, he fled with his family to another area. The applicant alleges that upon his return, he discovered that his belongings had been pillaged and that his house had been occupied by the Banyamulengués. He states that these events resulted in a divorce between him and his wife. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸¹

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-

⁵⁸⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx266; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 99 to 100.

⁵⁸¹ ICC-01/05-01/08-2042-Conf-Exp-Anx266, pages 4 to 5.

Pierre Bemba in the [REDACTED] area of Bangui on an unspecified date between 26 and 31 October 2002.

Applicant [REDACTED]⁵⁸²

Claim to victim status

The applicant states that between 26 and 31 October 2002, the Banyamulengués came to the [REDACTED] area of Bangui, PK [REDACTED]. She alleges that she encountered six of them on the road to [REDACTED] kilometres away from Bangui, and that they beat her, raped her one after the other, and pillaged her merchandise and money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁸³

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 the vicinity of Bangui on an unspecified date between 26 and 31 October 2002.

Applicant [REDACTED]⁵⁸⁴

⁵⁸² ICC-01/05-01/08-2042-Conf-Exp-Anx267; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 101 to 102.

⁵⁸³ ICC-01/05-01/08-2042-Conf-Exp-Anx267, pages 4 to 5.

⁵⁸⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx268; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 103 to 104.

Claim to victim status

The applicant states that between 28 and 31 October 2002, when the Banyamulengués invaded the [REDACTED] area of Bangui, the population was displaced, including him and his family who took refuge in areas that had not been affected by the attacks. He states that upon his return, he found that his shop had been destroyed and that his belongings had been taken. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸⁵

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 Bangui on an unspecified date between 28 and 31 October 2002.

Applicant [REDACTED]⁵⁸⁶

Claim to victim status

The applicant states that between the beginning of January and February 2003, the Banyamulengués came to his village of [REDACTED] PK [REDACTED]. He further states that the soldiers caused a large amount of damage. He lists his pillaged belongings

⁵⁸⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx268, pages 4 to 5.

⁵⁸⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx283; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 105 to 106.

and livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁸⁷

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] PK [REDACTED] on an unspecified date between January and February 2003.

Applicant [REDACTED]⁵⁸⁸

Claim to victim status

The applicant states that between January and February 2003, the Banyamulengués came to his village of [REDACTED] PK [REDACTED]. He further asserts that they were pillaging everything. He lists his pillaged belongings and livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁸⁹

Analysis and conclusions

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

⁵⁸⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx283, pages 4 to 5.

⁵⁸⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx284; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 107 to 108.

⁵⁸⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx284, 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] PK [REDACTED] on an unspecified date between January and February 2003.

Applicant [REDACTED]⁵⁹⁰

Claim to victim status

The applicant states that in the beginning of February 2003, the Banyamulengués came to her village of [REDACTED] and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹¹

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] PK [REDACTED] on an unspecified date in February 2003.

⁵⁹⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx289; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 109 to 110.

⁵⁹¹ ICC-01/05-01/08-2042-Conf-Exp-Anx289, pages 4 to 5.

Applicant [REDACTED]⁵⁹²

Claim to victim status

The applicant states that in the beginning of February 2003, the Banyamulengués came to her house, located in [REDACTED] PK [REDACTED] and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹³

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] PK [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]⁵⁹⁴

Claim to victim status

The applicant states that in the beginning of February 2003, the Banyamulengués came to his village, [REDACTED] PK [REDACTED] and pillaged his belongings. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹⁵

⁵⁹² ICC-01/05-01/08-2042-Conf-Exp-Anx290; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 111 to 112.

⁵⁹³ ICC-01/05-01/08-2042-Conf-Exp-Anx290, pages 4 to 5.

⁵⁹⁴ ICC-01/05-01/08-2042-Conf-Exp-Anx291; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 113 to 114.

⁵⁹⁵ ICC-01/05-01/08-2042-Conf-Exp-Anx291, 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 ██████████ PK ██████ on an unspecified date in February 2003.

Applicant ██████████⁵⁹⁶

Claim to victim status

The applicant states that on 21 February 2003, she was with her sister and two of her cousins in the ██████████ area of Bangui when they were intercepted by six Banyamulengués, out of which four were speaking Lingala and two were speaking Sango. She states that four of the soldiers pointed their weapons at her cousins and told them not to look while the others proceeded to rape her and her sister one after the other. She claims that as a result of a press publication about the event, she was stigmatised and forced to leave Bangui and relocate to her aunt's house. She also states that she lost some belongings and money. She lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁹⁷

Analysis and conclusions

⁵⁹⁶ ICC-01/05-01/08-2042-Conf-Exp-Anx309; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 115 to 116.

⁵⁹⁷ ICC-01/05-01/08-2042-Conf-Exp-Anx309, pages 4 to 5.

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of and kinship with her sister, only the applicant's rape and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 21 February 2003.

Applicant [REDACTED]⁵⁹⁸

Claim to victim status

The applicant states that on 31 October 2002, the Banyamulengués entered her compound, located in the village of [REDACTED] PK [REDACTED], where she was with her sister and broke down her door. She states that they pillaged her belongings and lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹⁹

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

⁵⁹⁸ ICC-01/05-01/08-2042-Conf-Exp-Anx348; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 117 to 118.

⁵⁹⁹ ICC-01/05-01/08-2042-Conf-Exp-Anx348, pages 4 to 5.

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 ██████████ PK████ on 31 October 2002.

Applicant ██████████⁶⁰⁰

Claim to victim status

The applicant states that on 8 March 2003, when Jean-Pierre Bemba's Banyamulengués invaded the village of ██████████ PK████, firing their weapons, he fled with his family to take refuge in ██████████. He claims that upon his return a few days later, he discovered that his house had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁰¹

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 ██████████ PK████ on an unspecified date as of 8 March 2003.

Applicant ██████████⁶⁰²

⁶⁰⁰ ICC-01/05-01/08-2042-Conf-Exp-Anx349; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 119 to 120.

⁶⁰¹ ICC-01/05-01/08-2042-Conf-Exp-Anx349, pages 4 to 5.

⁶⁰² ICC-01/05-01/08-2042-Conf-Exp-Anx350; ICC-01/05-01/08-2044-Conf-Exp-Anx3, pages 3 to 4.

Claim to victim status

The applicant is living abroad and she gave her consent for the application being introduced on her behalf by her sister.

It is stated that on 31 October 2002, the applicant was on her way from Cameroon to her sister's place to build a property on her sister's compound, when her vehicle was intercepted by the Banyamulengués in PK[REDACTED]. It is stated that the men pillaged all the construction materials from the vehicle, as well as the shoes the applicant was wearing. A document in which the loss is listed and valued is appended to the application form. As a result of the alleged events, it is claimed that the applicant suffered psychological and material harm.⁶⁰³

Analysis and conclusions

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

Having considered the application as whole, 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 PK[REDACTED] on 31 October 2002.

⁶⁰³ ICC-01/05-01/08-2042-Conf-Exp-Anx350, pages 9 to 11, 23, 25, 29 to 30 and 33.