

ANNEX D

Group D: Mongoumba

○ Second transmission - ICC-01/05-01/08-796-Conf-Exp

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 March 2003 he visited the village of [REDACTED] in [REDACTED] together with his mother and his cousin. As they were crossing the fields, they were stopped by the Banyamulengués who were dressed in military uniforms and spoke Lingala. The Banyamulengués ordered them to give them their motorcycle, goods and money. They beat up the applicant, stole their goods, including the motorcycle, and left the applicant and his mother lying in the fields. His cousin managed to escape. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²

Analysis and conclusions

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

Having considered the application as a whole, the Chamber finds that 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 the crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba Gombo on 7 March 2003 in the village of [REDACTED] in [REDACTED]

¹ ICC-01/05-01/08-796-Conf-Exp-Anx153.

² ICC-01/05-01/08-796-Conf-Exp-Anx153, pages 9, 11, 22, 23.

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

The applicant states that on 5 January 2003 soldiers of Jean-Pierre Bemba attacked [REDACTED]. In their efforts to cross the Oubangui River a dozen of them kidnapped the applicant, who owned a boat, together with his crew and took them to the [REDACTED] [REDACTED] which is located between the city of [REDACTED] (DRC) and [REDACTED] (CAR). They severely injured the applicant by inflicting severe cuts on his left leg and jaws. His crew was also injured. Bemba's rebels threatened to kill the applicant and his crew, stripped them, stole all of their goods including the boat and abandoned them on the island. Approximately forty-eight hours later they were assisted by a fisherman to return to their village. As a result of the attack, the applicant has not been able to continue with his profession and he still suffers from pain particularly on his jaws. In addition, the attackers kidnapped a member of his crew whose whereabouts remain unknown. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.⁴

Analysis and conclusions

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

Having considered the application as a whole, the Chamber finds that 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 the crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on the [REDACTED] [REDACTED] on 5 January 2003.

³ ICC-01/05-01/08-796-Conf-Exp-Anx4.

⁴ ICC-01/05-01/08-796-Conf-Exp-Anx4, pages 4, 9 to 11, 19.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 he was selling goods from his boat on the Oubangui River. When he arrived in [REDACTED] he witnessed the Banyamulengués crossing the river and attacking the city. The Banyamulengués seized his boat and took him together with the rest of his crew on an [REDACTED] in front of [REDACTED] where he was tortured. Subsequently, they were abandoned there while the Banyamulengués left taking the boat and all the merchandise with them. As a result of these 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.

Taking the application as a whole, the Chamber finds that 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 November 2002.

Applicant [REDACTED]

Claim to victim status

⁵ ICC-01/05-01/08-796-Conf-Exp-Anx23 and 24.

⁶ ICC-01/05-01/08-796-Conf-Exp-Anx23, page 9, 20,27.

⁷ ICC-01/05-01/08-796-Conf-Exp-Anx44.

The applicant states that on 4 March 2003 he witnessed Jean-Pierre Bemba's soldiers positioning themselves along the river in [REDACTED] When he returned home together with his family, the soldiers attacked his house, raped his wife, beat the applicant and his son who suffered a fracture. They then forced the applicant to carry suitcases containing his possessions to the river. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber however underlines that the applicant has not provided any document to demonstrate the identity of and relationship with his alleged wife. Therefore, the harm alleged by the applicant as a result of the rape of his wife will not be assessed by the Chamber.

Having examined the application as a whole, the Chamber finds that 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 on 4 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 4 March 2003 the Banyamulengués broke into the house where she stayed together with her aunt which was situated in the

⁸ ICC-01/05-01/08-796-Conf-Exp-Anx44, pages 11, 18.

⁹ ICC-01/05-01/08-796-Conf-Exp-Anx46.

██████ area of ██████ She states that they were all speaking Lingala. The Banyamulengués forced them to undress and raped them. The applicant states that she was raped in turn by thirteen soldiers. The soldiers then looted her house taking away food supplies that were intended for sale at the market of Bangui as well as the sum of 150,000 FCFA. Following the rape, the applicant's aunt committed suicide. The applicant has been left substantially traumatised and stigmatised as she feels despised by her community. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.¹⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber however underlines that the applicant has not provided any documents to demonstrate the identity of and relationship with her alleged aunt. Therefore, the harm claimed by the applicant as a result of the rape of her aunt will not be assessed by the Chamber.

Having examined the application as a whole, the Chamber concludes 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 her rape as well as the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 4 March 2003 in the ██████ area of ██████

Applicant ██████

Claim to victim status

¹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx46, pages 11, 18.

¹¹ ICC-01/05-01/08-796-Conf-Exp-Anx51.

The applicant states that on 5 March 2003 the Banyamulengués attacked [REDACTED]. The applicant fled to join his wife who had just given birth and had been guided by a group of youths to [REDACTED]. The applicant managed to find his wife and child who were safe and alive. However, the applicant's house was looted. 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.

Having considered the application as a whole, the Chamber finds that 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 on 5 March 2003 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 the Banyamulengués attacked [REDACTED] killing and pillaging properties including the applicant's house. As a result of these events, the applicant claims to have suffered psychological and material harm.¹⁴

Analysis and conclusions

¹² ICC-01/05-01/08-796-Conf-Exp-Anx51, page 9.

¹³ ICC-01/05-01/08-796-Conf-Exp-Anx52.

¹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx52, page 9.

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

Having considered the application as a whole, the Chamber concludes that 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 March 2003, Jean-Pierre Bemba's troops arrived in [REDACTED]. At that time, the applicant was working for a project conducted by the [REDACTED]. [REDACTED] He contends that the Banyamulengués raped his wife in front of his colleagues and abducted him to use him as a guide in order to find the way back to the DRC. On their way, the Banyamulengués allegedly ill-treated him and forced him to have unprotected sex with a woman. He claims that he was detained by the Banyamulengués for a period of between two and three months and he only managed to escape when their Chief became ill. The applicant had to walk for one month in order to return to his home in [REDACTED]. There, he learnt that the day he was abducted, the Banyamulengués had killed his four-year-old daughter, seriously injured his wife and looted his house and neighbourhood. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.¹⁶

¹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx58.

¹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx58, pages 11 to 12, 24.

Analysis and conclusions

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

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate the identity of his daughter who was allegedly killed and of his wife who was allegedly raped, as well as their kinship with the applicant.

The Chamber notes that, according to the description of facts as provided by the applicant, the rape of his wife, his abduction by the Banyamulengués, the murder of his daughter as well as the pillage of his belongings occurred on the same day, on 18 March 2003. In this regard, the Chamber considers that the slight potential discrepancy as to dates does not materially undermine the remainder of the evidence provided, when assessed on a *prima facie* basis. Having examined the application as a whole, the Chamber concludes that 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 the crimes confirmed against the accused, namely the rape of his wife, the murder of his daughter and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in mid-March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 the troops of Jean-Pierre Bemba arrived at [REDACTED] on their way to the DRC. At approximately 4.00 they surrounded the applicant's village. The applicant together with his family fled to the forest where they stayed for forty-eight hours. The troops massacred those civilians who failed to escape. The applicant's house was

¹⁷ ICC-01/05-01/08-796-Conf-Exp-Anx61.

pillaged leaving him in a very difficult financial situation given the fact that he is the father of sixteen children. The applicant submits a list and valuation of his stolen belongings. As a result of these events, the applicant claims to have suffered material harm.¹⁸

Analysis and conclusions

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

In light of the evidence provided as a whole, the Chamber finds that there is a *prima facie* basis to conclude that the accused's troops had been responsible. Consequently, the Chamber finds that 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 possessions by the Banyamulengués of Jean-Pierre Bemba on 4 March 2003 in [REDACTED] on 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, while he was transporting by boat corn for sale at the Bangui market, they were intercepted by MLC soldiers of Jean-Pierre Bemba at the level of [REDACTED] between [REDACTED] (DRC) and [REDACTED] (CAR) in the districts of Equateur (DRC) and Lobaye (CAR). The soldiers forced him to stop by the DRC side of the river. The soldiers looted his boat and raped three women who were travelling with the applicant. The

¹⁸ ICC-01/05-01/08-796-Conf-Exp-Anx61, pages 9, 19.

¹⁹ ICC-01/05-01/08-796-Conf-Exp-Anx72, page 3.

applicant had to return to Bangui by walking. As a result of these events, the applicant claims to have suffered psychological and material harm.²⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the applicant's identity.

The Chamber takes note that the boat was intercepted at the level of [REDACTED] between [REDACTED] (DRC) and [REDACTED] (CAR) in the districts of Equateur (DRC) and Lobaye (CAR). Thus, for the reasons set out in the Decision, this application for participation is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 MLC soldiers of Jean-Pierre Bemba invaded [REDACTED]. They broke into her house and tortured her husband. She was consecutively raped by thirteen soldiers speaking in Lingala. Her husband died on [REDACTED] April 2004. The applicant states that, as a consequence of the rape, she has been infected with HIV. She further submits that her belongings were pillaged 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.²²

Analysis and conclusions

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

²⁰ ICC-01/05-01/08-796-Conf-Exp-Anx72, pages 9, 19.

²¹ ICC-01/05-01/08-796-Conf-Exp-Anx75.

²² ICC-01/05-01/08-796-Conf-Exp-Anx75, pages 9, 21 to 26.

In light of the evidence provided as a whole, the Chamber finds 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that her sisters and she went to [REDACTED] in the DRC by boat to buy supplies. On their way back on 16 March 2003, around [REDACTED] (CAR), they were found by six soldiers dressed in military uniforms that spoke in Lingala. The boat passengers' identified them as soldiers of Jean-Pierre Bemba. The soldiers threatened them obliging the boat's pilots to follow them. They suddenly beat them and finally took them to the other side of the river. When they reached the Congolese shore they were ordered to give to the soldiers all of their food supplies that included one hundred and fifteen sacs of manioc and twenty-five baskets of dried fish. Subsequently, they were brutally raped and detained for two days without getting any water or food. As a result of these events, the applicant has suffered physical, psychological and material harm, the latter due to the loss of her food supplies that she lists and values.

Analysis and conclusions

The Chamber considers that the documents provided taken as a whole and despite a slight inconsistency, sufficiently demonstrate the identity of the applicant.

The Chamber considers that the documents provided taken as a whole, despite

²³ ICC-01/05-01/08-796-Conf-Exp-Anx96.

²⁴ ICC-01/05-01/08-796-Conf-Exp-Anx96, pages 9 to 11.

a slight inconsistency, sufficiently demonstrate the identity of the applicant. The Chamber however underlines that the applicant has not provided any documents to demonstrate the identity of and relationship with her alleged two sisters. Therefore, the harm alleged by the applicant as a result of the rape of her sisters will not be assessed by the Chamber.

The Chamber notes that the boat was intercepted on their way back from the DRC, around [REDACTED] (CAR). Thus, for the reasons set out in the Decision, 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 the crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba around [REDACTED] around 16 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 he was returning to Bangui from [REDACTED] where he had carried out his trading activities when his boat was stopped by the Banyamulengués as he approached the city of [REDACTED]. He claims that he has suffered psychological and material harm due to the pillage of various items that he lists and values.²⁶

Analysis and conclusions

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

Having examined the application as a whole, the Chamber concludes that 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

²⁵ ICC-01/05-01/08-796-Conf-Exp-Anx184.

²⁶ ICC-01/05-01/08-796-Conf-Exp-Anx184, pages 9 to 11.

belongings by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002 in [REDACTED]

- **Sixth transmission - ICC-01/05-01/08-936-Conf-Exp-Anx1 to Anx82**

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 the Banyamulengués attacked [REDACTED] and they pillaged houses, killed people and raped women. He claims that his belongings were looted and he lists and values his loss. The applicant states that the events occurred in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

²⁷ ICC-01/05-01/08-936-Conf-Exp-Anx1; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 2 to 3.

²⁸ ICC-01/05-01/08-936-Conf-Exp-Anx1, pages 9 to 11.

²⁹ ICC-01/05-01/08-936-Conf-Exp-Anx2; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 4 to 5.

Claim to victim status

The applicant claims that on 5 March 2003, when the Banyamulengués attacked [REDACTED] they broke into her house, located in [REDACTED] area, and pillaged all her belongings, which she lists and values. 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 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 on 5 March 2003 in [REDACTED]

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

The applicant declares that on 5 March 2003, when the Banyamulengués attacked [REDACTED] she was visiting her little sister who was hospitalised. She says that, on the same day, she left the hospital and returned to her house in the [REDACTED] area. She alleges that, upon her arrival, she found the door of her house open and all her belongings were missing. The applicant identifies the Banyamulengués as those responsible for the pillage of her belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.³²

³⁰ ICC-01/05-01/08-936-Conf-Exp-Anx2, pages 9 to 11.

³¹ ICC-01/05-01/08-936-Conf-Exp-Anx3; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 6 to 7.

³² ICC-01/05-01/08-936-Conf-Exp-Anx3, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba as from 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, when the Banyamulengués attacked [REDACTED] he had to flee the [REDACTED] area where he lived. The applicant alleges that, upon his return, he found that his belongings, his shop and his merchandise had been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴

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 on an unspecified date as of 5 March 2003 in [REDACTED]
[REDACTED]

³³ ICC-01/05-01/08-936-Conf-Exp-Anx4; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 8 to 9.

³⁴ ICC-01/05-01/08-936-Conf-Exp-Anx4, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003, when the Banyamulengués invaded [REDACTED] she took refuge in the bush with her family. She alleges that, upon their return, they found that their house, located in the [REDACTED] area, had been pillaged and damaged. 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 on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 foreign military troops entered [REDACTED] and occupied the town until 7 March 2003. According to the applicant, the soldiers were short, they had dark skin and they were speaking Lingala and Kishuali. The applicant alleges that they broke into his house and

³⁵ ICC-01/05-01/08-936-Conf-Exp-Anx5; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 10 to 11.

³⁶ ICC-01/05-01/08-936-Conf-Exp-Anx5, pages 9 to 11.

³⁷ ICC-01/05-01/08-936-Conf-Exp-Anx6; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 12 to 13.

pillaged his belongings, which he lists and values. He identifies Jean-Pierre Bemba's troops as those responsible for these acts. As a result of the alleged events, the applicant claims to have suffered 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 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant, a merchant, says that on 5 March 2003 the Banyamulengués entered [REDACTED] and occupied the city for three days. She alleges that they pillaged her house in the [REDACTED] area as well as her shop, full of merchandise. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁰

Analysis and conclusions

The Chamber notes that the date of birth as appearing on the application form does not correspond to the day the applicant was born but to the day the birth was declared. The Chamber considers that this discrepancy might be the

³⁸ ICC-01/05-01/08-936-Conf-Exp-Anx6, pages 9 to 11.

³⁹ ICC-01/05-01/08-936-Conf-Exp-Anx7; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 14 to 15.

⁴⁰ ICC-01/05-01/08-936-Conf-Exp-Anx7, pages 9 to 11.

result of an inadvertent error in filling in the form and therefore the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003 the Banyamulengués set up their camp in front of her house, in the [REDACTED] area of [REDACTED]. She alleges that they pillaged her house and that, as a consequence of the shock, her father suffered from high blood pressure and died shortly afterwards. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴²

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 on 5 March 2003 in [REDACTED]

⁴¹ ICC-01/05-01/08-936-Conf-Exp-Anx8; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 16 to 17.

⁴² ICC-01/05-01/08-936-Conf-Exp-Anx8, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant says that on 5 March 2003, early morning, she was still sleeping when she heard someone screaming and urging the population to flee because the Banyamulengués were in [REDACTED]. She alleges that the Banyamulengués entered her house in the [REDACTED] area of the town and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered 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 accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003 the Banyamulengués invaded [REDACTED] and he fled from his house together with his family. He alleges that the Banyamulengués entered their house, in the [REDACTED] area, and pillaged his belongings and those of his family. The applicant lists and values

⁴³ ICC-01/05-01/08-936-Conf-Exp-Anx9; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 18 to 19.

⁴⁴ ICC-01/05-01/08-936-Conf-Exp-Anx9, pages 9 to 11.

⁴⁵ ICC-01/05-01/08-936-Conf-Exp-Anx10; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 20 to 21.

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 on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, around 5.00, he was still sleeping when his younger brothers woke him up and told him that the Banyamulengués were invading [REDACTED]. He declares that when he went to see what was happening, he saw a large number of heavily armed troops firing everywhere. The applicant alleges that they entered his house, in the [REDACTED] area, and pillaged his belongings which he lists and values. He also adds that one of the attackers attempted to kill him. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸

Analysis and conclusions

⁴⁶ ICC-01/05-01/08-936-Conf-Exp-Anx10, pages 9 to 11.

⁴⁷ ICC-01/05-01/08-936-Conf-Exp-Anx11; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 22 to 23.

⁴⁸ ICC-01/05-01/08-936-Conf-Exp-Anx11, pages 9 to 11, 18.

The Chamber considers that the 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003 the Banyamulengués invaded [REDACTED] and she left her house located in the [REDACTED] area. She alleges that the Congolese rebels pillaged her belongings and those of her family. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁰

Analysis and conclusions

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

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

⁴⁹ ICC-01/05-01/08-936-Conf-Exp-Anx12; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 24 to 25.

⁵⁰ ICC-01/05-01/08-936-Conf-Exp-Anx12, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant contends that on 5 March 2003 the Banyamulengués invaded [REDACTED] and pillaged her house, located in the [REDACTED] area of the town. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵²

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant says that on 5 March 2003, when the Banyamulengués invaded [REDACTED] two men carrying Kalashnikovs and speaking Lingala came to his house and he had to flee to the forest. He alleges that they kicked down the door of his house and they pillaged all his belongings that he lists and

⁵¹ ICC-01/05-01/08-936-Conf-Exp-Anx13; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 26 to 27.

⁵² ICC-01/05-01/08-936-Conf-Exp-Anx13, pages 9 to 11.

⁵³ ICC-01/05-01/08-936-Conf-Exp-Anx14; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 28 to 29.

values. He identifies the troops of Jean-Pierre Bemba as the responsible for those acts. 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.

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 on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant says that on 5 March 2003, when the Banyamulengués invaded [REDACTED] he had to flee to the bush with his family. He alleges that one of his daughters was sick and died. The applicant contends that the Banyamulengués broke into his house, in the [REDACTED] area, and pillaged all his personal belongings and those of his family. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁶

Analysis and conclusions

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

⁵⁴ ICC-01/05-01/08-936-Conf-Exp-Anx14, pages 9 to 11, 19.

⁵⁵ ICC-01/05-01/08-936-Conf-Exp-Anx15; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 30 to 31.

⁵⁶ ICC-01/05-01/08-936-Conf-Exp-Anx15, pages 9 to 11.

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 on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003, when the Banyamulengués invaded [REDACTED] seven armed men entered her house, in the [REDACTED] area, and asked for all her goods and money. She points out that, under the threat of their guns, she had been ordered to leave the house. She further alleges that the Banyamulengués took her savings, pillaged her belongings and all the merchandise that she bought in the DRC in order to resell it in the [REDACTED] market. The applicant lists and values the stolen items. 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.

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

⁵⁷ ICC-01/05-01/08-936-Conf-Exp-Anx16; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 32 to 33.

⁵⁸ ICC-01/05-01/08-936-Conf-Exp-Anx16, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant asserts that between 3 and 5 March 2003, the Banyamulengués attacked [REDACTED] and his village, [REDACTED] ([REDACTED]). He points out that in 2003 he underwent a surgery as a result of which he is confined to bed. He alleges that the Banyamulengués pillaged his boat and his fishing nets that were on the bank of the river Oubangui. He values the stolen goods. As a result of the alleged events, the applicant claims to have suffered psychological and 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

⁵⁹ ICC-01/05-01/08-936-Conf-Exp-Anx17; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 34 to 35.

⁶⁰ ICC-01/05-01/08-936-Conf-Exp-Anx17, pages 9 to 11.

⁶¹ ICC-01/05-01/08-936-Conf-Exp-Anx18; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 36 to 37.

The applicant states that on 5 March 2003 the Banyamulengués crossed the river Oubangui and invaded [REDACTED]. He contends that they broke into his house, in the [REDACTED] area, and pillaged all his belongings. The applicant lists and values the stolen goods. 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 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 on 5 March 2003 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant asserts that on 5 March 2003 the Banyamulengués came to the area where she lived, [REDACTED] took her son as hostage, used him to carry their goods and tortured him. As a consequence of the torture, she says that her son got sick. She further alleges that the Banyamulengués pillaged her belongings and her livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁴

Analysis and conclusions

⁶² ICC-01/05-01/08-936-Conf-Exp-Anx18, pages 9 to 11.

⁶³ ICC-01/05-01/08-936-Conf-Exp-Anx19; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 38 to 39.

⁶⁴ ICC-01/05-01/08-936-Conf-Exp-Anx19, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant says that on 5 March 2003, when the militia men of Jean-Pierre Bemba invaded [REDACTED] she fled with her family. The applicant alleges that her house, located in the [REDACTED] area of the town, was pillaged. She lists and values the missing items. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁶

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 on an unspecified date between 5 March 2003 and 15 March 2003 in [REDACTED]

⁶⁵ ICC-01/05-01/08-936-Conf-Exp-Anx20; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 40 to 41.

⁶⁶ ICC-01/05-01/08-936-Conf-Exp-Anx20, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 March 2003 in the morning, the soldiers of Jean-Pierre Bemba who spoke Lingala came to his house, in [REDACTED] firing in the air. He alleges that they entered his house and pillaged his belongings. 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.

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant says that, on 5 March 2003 in the morning, the militia of Jean-Pierre Bemba invaded [REDACTED] came to her house, in the [REDACTED] area and pillaged it. The applicant adds that she had to flee to the bush with her

⁶⁷ ICC-01/05-01/08-936-Conf-Exp-Anx21; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 42 to 43.

⁶⁸ ICC-01/05-01/08-936-Conf-Exp-Anx21, pages 9 to 11.

⁶⁹ ICC-01/05-01/08-936-Conf-Exp-Anx22; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 44 to 45.

family. As a result of the alleged events, the applicant claims to have suffered 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-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that, when the Banyamulengués attacked [REDACTED] on 15 March 2003, they came to her house, in the [REDACTED] area, and pillaged her belongings. She further contends that the Banyamulengués killed her poultry. As a result of the alleged events, the applicant claims to have suffered material harm.⁷²

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

⁷⁰ ICC-01/05-01/08-936-Conf-Exp-Anx22, pages 9 to 11.

⁷¹ ICC-01/05-01/08-936-Conf-Exp-Anx23; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 46 to 47.

⁷² ICC-01/05-01/08-936-Conf-Exp-Anx23, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 15 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 March 2003, during the attack to [REDACTED] the Banyamulengués went to his house in the [REDACTED] area and pillaged all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁴

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003, when he was coming back from fishing, the Banyamulengués intercepted him and went to his house. The applicant alleges that, once they arrived at his home in the [REDACTED] area of [REDACTED] the Banyamulengués beat the applicant's mother. He adds that,

⁷³ ICC-01/05-01/08-936-Conf-Exp-Anx24; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 48 to 49.

⁷⁴ ICC-01/05-01/08-936-Conf-Exp-Anx24, pages 9 to 11.

⁷⁵ ICC-01/05-01/08-936-Conf-Exp-Anx25; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 50 to 51.

when he tried to oppose the violence, he was also hit with the butt of their guns. He further contends that the Banyamulengués pillaged his house. As a result of the alleged events, the applicant claims to have suffered 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2010 the Banyamulengués invaded [REDACTED] and he fled to the bush with his family. He alleges that they looted his house, located in the [REDACTED] area. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁸

Analysis and conclusions

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

The Chamber notes that the applicant alleges that the facts took place in 2010. However, in light of the intrinsic coherence of the application as a whole, the

⁷⁶ ICC-01/05-01/08-936-Conf-Exp-Anx25, pages 9 to 11.

⁷⁷ ICC-01/05-01/08-936-Conf-Exp-Anx26; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 52 to 53.

⁷⁸ ICC-01/05-01/08-936-Conf-Exp-Anx26, pages 9 to 11.

Chamber considers that the timeframe provided by the applicant is the result of inadvertent error in filling in the form and, as such, does not undermine a *prima facie* conclusion as to the events described, which appear to have occurred in 2003.

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 10 March 2003 the troops of Jean Pierre Bemba entered [REDACTED] and the population fled. He contends that the troops started looting every house they found on their way, including his house. He adds that two people were killed and that he personally buried, together with the chief of his area, the body of a woman who was killed. 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 that he suffered personal harm as a result of crimes confirmed against

⁷⁹ ICC-01/05-01/08-936-Conf-Exp-Anx27; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 54 to 55.

⁸⁰ ICC-01/05-01/08-936-Conf-Exp-Anx27, pages 9 to 11.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 10 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant asserts that on 5 March 2003 the Banyamulengués invaded [REDACTED] came to the [REDACTED] area, where her house was situated, and pillaged her belongings that she lists and values. She points out that they had to flee to the bush, where they stayed for 10 days, and they returned to the town only on 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.⁸²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

⁸¹ ICC-01/05-01/08-936-Conf-Exp-Anx28; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 56 to 57.

⁸² ICC-01/05-01/08-936-Conf-Exp-Anx28, pages 9 to 11.

⁸³ ICC-01/05-01/08-936-Conf-Exp-Anx29; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 58 to 59.

Claim to victim status

The applicant reports that on 5 March 2003 the Banyamulengués invaded [REDACTED] and systematically pillaged all the houses they found on their way. The applicant alleges that they also came to her house, in the [REDACTED] area, and pillaged all her belongings that she lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 on 5 March 2003 in [REDACTED]

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

The applicant says that on 5 March 2003 the Banyamulengués invaded [REDACTED] went to her house, in the [REDACTED] area, and pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁶

⁸⁴ ICC-01/05-01/08-936-Conf-Exp-Anx29, pages 9 to 11.

⁸⁵ ICC-01/05-01/08-936-Conf-Exp-Anx30; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 60 to 61.

⁸⁶ ICC-01/05-01/08-936-Conf-Exp-Anx30, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 March 2003 the Banyamulengués invaded [REDACTED] and they pillaged his bar and his house located in the [REDACTED] area of the town. The applicant identifies the Banyamulengués as the responsible for these events. 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

⁸⁷ ICC-01/05-01/08-936-Conf-Exp-Anx31; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 62 to 63.

⁸⁸ ICC-01/05-01/08-936-Conf-Exp-Anx31, pages 9 to 11.

the accused, namely the pillage of his bar and his house by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 March 2003 the Banyamulengués invaded [REDACTED] and pillaged his house in the [REDACTED] area. 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.

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003, when the Banyamulengués invaded [REDACTED] she fled together with her family and, while they were in the bush, her older sister fell ill and died. The applicant alleges that, upon their return to the town, they found that her house, located in the [REDACTED]

⁸⁹ ICC-01/05-01/08-936-Conf-Exp-Anx32; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 64 to 65.

⁹⁰ ICC-01/05-01/08-936-Conf-Exp-Anx32, pages 9 to 11.

⁹¹ ICC-01/05-01/08-936-Conf-Exp-Anx33; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 66 to 67.

area, had been pillaged by Bemba's troops. As a result of the alleged events, the applicant claims to have suffered material harm.⁹²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 house by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 March 2003, when the Banyamulengués invaded [REDACTED] they pillaged his house, located in [REDACTED] area. He says that he was obliged to flee to the bush together with his family. The applicant further contends that, while they were hidden in the bush, he lost two of his grandsons. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁴

Analysis and conclusions

⁹² ICC-01/05-01/08-936-Conf-Exp-Anx33, pages 9 to 11.

⁹³ ICC-01/05-01/08-936-Conf-Exp-Anx34; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 68 to 69.

⁹⁴ ICC-01/05-01/08-936-Conf-Exp-Anx34, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 5 March 2003, the Congolese troops from the DRC, composed of armed men who were speaking Lingala and who were referred to as Bemba's soldiers, invaded [REDACTED] in order to pillage the city. The applicant asserts that the soldiers massacred them materially and physically and he submits a list of the lost items, which he values. As a result of the alleged events, he claims to have suffered psychological and material harm.⁹⁶

Analysis and conclusions

The Chamber notes that the year of birth as appearing on the birth certificate is not legible. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application

⁹⁵ ICC-01/05-01/08-936-Conf-Exp-Anx35; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 70 to 71.

⁹⁶ ICC-01/05-01/08-936-Conf-Exp-Anx35, pages 9 to 11.

form, the Chamber is satisfied that the identity of the applicant is sufficiently established.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has 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 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant, who is a fisherman, claims that on 5 March 2003, when he returned from fishing, the Banyamulengués invaded [REDACTED] entered his home, located in the [REDACTED] area, and pillaged and devastated his house. He lists and values the looted items. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁸

Analysis and conclusions

The Chamber notes that, for the purpose of identification, the applicant submits a police statement attesting the loss of his identity documents. Given that the information appearing on this statement is consistent with the information provided in the application form, the Chamber is satisfied that the identity of the applicant is sufficiently established.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has suffered personal harm as a

⁹⁷ ICC-01/05-01/08-936-Conf-Exp-Anx36; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 72 to 73.

⁹⁸ ICC-01/05-01/08-936-Conf-Exp-Anx36, pages 9 to 11.

result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 5 March 2003, when the Banyamulengués invaded [REDACTED] she fled to the fields together with her younger brothers. The applicant specifies that their mother was ill and thus stayed at home in order to rejoin them later. The applicant states that they tried to hide in a hospital, under the beds, but they were discovered by the Banyamulengués. She contends that the Banyamulengués pulled her out of the group and took her to their military base. She allegedly lost consciousness following a gunshot but was then reanimated by the men. Subsequently, she was forced to carry the items the Banyamulengués had pillaged and was beaten by the men. The same day, at around 16.00, she asserts that another group of Banyamulengués started raping her. She reports that at around 18.00, she managed to escape to the bush. The applicant states that they also pillaged some of her belongings, including a bag with clothes and her mattress. She further contends that because of the rape, she has been stigmatized and she is suffering hypertension. As a result of the alleged events, she claims to have suffered physical, psychological and material harm.¹⁰⁰

Analysis and conclusions

⁹⁹ ICC-01/05-01/08-936-Conf-Exp-Anx37; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 74 to 75.

¹⁰⁰ ICC-01/05-01/08-936-Conf-Exp-Anx37, pages 9 to 11, 18 to 19.

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

On the basis of the application as a whole, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, when she returned by boat from [REDACTED] to Bangui together with her sister, they had to shore in [REDACTED] which had already been invaded by the Banyamulengués. She contends that she was violently beaten and undressed by the Banyamulengués who took her money as well as the merchandise she wanted to resell at the Bangui market. The applicant further claims to have been affected psychologically by the loss of her product which has left her destitute and unable to provide for her family. As a result of the alleged events she claims to have suffered psychological and material harm.¹⁰²

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a

¹⁰¹ ICC-01/05-01/08-936-Conf-Exp-Anx38; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 76 to 77.

¹⁰² ICC-01/05-01/08-936-Conf-Exp-Anx38, pages 9 to 11.

victim under Rule 85(a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that when she was returning by boat from [REDACTED] to Bangui together with her sister, they had to shore in [REDACTED]. She alleges that the city had already been invaded by the Banyamulengués who took the boat and pillaged all the merchandise and the luggage they were transporting as well as her money. The event allegedly took place on 15 November 2003. As a result of the alleged events the applicant claims to have suffered material harm.¹⁰⁴

Analysis and conclusions

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

On the basis of the application as a whole, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2003.

Applicant [REDACTED]

¹⁰³ ICC-01/05-01/08-936-Conf-Exp-Anx39; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 78 to 79.

¹⁰⁴ ICC-01/05-01/08-936-Conf-Exp-Anx39, pages 9 to 11.

¹⁰⁵ ICC-01/05-01/08-936-Conf-Exp-Anx40; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 80 to 81.

Claim to victim status

The applicant declares that on 15 November 2002, she was returning by boat from [REDACTED] Congo Brazzaville, to Bangui. She states that upon their arrival in [REDACTED], they were intercepted by the Banyamulengués, who pillaged all her belongings and money. The applicant also claims that, when she tried to resist the pillage of her money, she was violently beaten and she gave up. 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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

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

The applicant contends that on 16 November 2002, following a difficult and long boat journey back from [REDACTED] they arrived in [REDACTED] which had already been invaded by the Banyamulengués. She asserts that they were stopped by the Banyamulengués who took all their merchandise. The applicant specifies that she was beaten by the Banyamulengués and that she

¹⁰⁶ ICC-01/05-01/08-936-Conf-Exp-Anx40, pages 9 to 11.

¹⁰⁷ ICC-01/05-01/08-936-Conf-Exp-Anx41; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 82 to 83.

lost her merchandise which rendered her life very difficult because she has to take care of many people. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹⁰⁸

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 has 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 16 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, the Banyamulengués invaded [REDACTED]. She contends that they came to her place and raped her in front of her children who were also beaten. She further contends that child soldiers pillaged their belongings and she submits a list of the looted items, which she values. The applicant claims that she still has troubles with her memory and intrusive thoughts. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁰

Analysis and conclusions

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

¹⁰⁸ ICC-01/05-01/08-936-Conf-Exp-Anx41, pages 9 to 11.

¹⁰⁹ ICC-01/05-01/08-936-Conf-Exp-Anx42; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 84 to 85.

¹¹⁰ ICC-01/05-01/08-936-Conf-Exp-Anx42, pages 9 to 11, 19.

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 has 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 claims that on 15 November 2002, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, they had to shore in [REDACTED]. However, she reports that as the Banyamulengués had already invaded the city, they took the boat, together with all the merchandise and the luggage, and brought it to the other side of the river. She lists and values the looted goods. She also claims to suffer psychologically from the loss of her merchandise as she is unable to feed her children and pay for their education. As a result of the alleged events, the applicant claims to have suffered psychological and material harm¹¹²

Analysis and conclusions

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

On the basis of the application as a whole, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her

¹¹¹ ICC-01/05-01/08-936-Conf-Exp-Anx43; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 86 to 87.

¹¹² ICC-01/05-01/08-936-Conf-Exp-Anx43, pages 9 to 11.

merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, when they arrived by boat at the level of [REDACTED] the crew was taken hostage and their merchandise and money were pillaged by the Banyamulengués. The applicant lists and values the looted goods and asserts that the loss of his savings caused him serious problems. As a result of the alleged events, he claims to have suffered psychological and 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 he is a victim under Rule 85(a) on the basis that he has 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 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, he was on his way back to Bangui from [REDACTED]. According to the applicant, at the level of [REDACTED]

¹¹³ ICC-01/05-01/08-936-Conf-Exp-Anx44; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 88 to 89.

¹¹⁴ ICC-01/05-01/08-936-Conf-Exp-Anx44, pages 9 to 11.

¹¹⁵ ICC-01/05-01/08-936-Conf-Exp-Anx45; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 90 to 91.

the boat was intercepted by the Banyamulengués who pillaged all their goods, merchandise and belongings. He states that Jean-Pierre Bemba is responsible for these events because he was the commander of the troops committing these violent acts. He asserts that the loss of his savings left him completely destitute. 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.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has 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 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 November 2002, when she was returning by boat from [REDACTED] DRC, the boat was intercepted by the Banyamulengués at the level of [REDACTED]. The applicant claims that the Banyamulengués looted all her merchandise, money and clothes. She lists and values the looted items and she states that she is now unable to provide for her family. As a

¹¹⁶ ICC-01/05-01/08-936-Conf-Exp-Anx45, pages 9 to 11.

¹¹⁷ ICC-01/05-01/08-936-Conf-Exp-Anx46; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 92 to 93.

result of the alleged events, the applicant claims to have suffered material harm.¹¹⁸

Analysis and conclusions

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

On the basis of the application as a whole, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, he went to the [REDACTED] market with a boat he had rented together with two other traders. He affirms that on their way back, at [REDACTED] they were intercepted by the Banyamulengués who pillaged all their supplies and belongings. He lists and values the items he lost in this incident. He contends that he was also beaten by the Banyamulengués. As a result of the alleged events, he claims to have suffered psychological and material harm.¹²⁰

Analysis and conclusions

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

¹¹⁸ ICC-01/05-01/08-936-Conf-Exp-Anx46, pages 9 to 11.

¹¹⁹ ICC-01/05-01/08-936-Conf-Exp-Anx47; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 94 to 95.

¹²⁰ ICC-01/05-01/08-936-Conf-Exp-Anx47, pages 9 to 11.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has 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 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 November 2002, she was returning from the market in [REDACTED] DRC, on a boat together with other passengers. Once they arrived in [REDACTED], they were allegedly intercepted by the Banyamulengués. She contends that the Banyamulengués looted the entire cargo including her own belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.¹²²

Analysis and conclusions

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

On the basis of the application as a whole, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

¹²¹ ICC-01/05-01/08-936-Conf-Exp-Anx48; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 96 to 97.

¹²² ICC-01/05-01/08-936-Conf-Exp-Anx48, pages 9 to 11.

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

The applicant claims that on an unspecified date in 2002, when she was at her uncle's place in [REDACTED] their home was invaded by the Banyamulengués. She asserts that her uncle managed to escape, leaving her alone in the house. She reports that she was raped by five men and specifies that at that time she was only 16 years old and still a virgin. She further states that after the rape, they pillaged the house, including her belongings. She states that she is still traumatized and suffers health problems. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁴

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to the year 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, at a time when the applicant was only 16 years old, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant. As a consequence, the Chamber finds 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the

¹²³ ICC-01/05-01/08-936-Conf-Exp-Anx49; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 98 to 99.

¹²⁴ ICC-01/05-01/08-936-Conf-Exp-Anx49, pages 9 to 11.

pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in 2002.

Applicant [REDACTED]

The Chamber notes that the application is introduced by applicant [REDACTED] who refers to the death of his grandmother, allegedly caused by the acts committed by the soldiers of Jean-Pierre Bemba. However, given that this applicant has already introduced an application on his own behalf and in light of the statement of facts and documents provided, the Chamber concludes that the person submitting the application intends to act on behalf of his deceased grandmother. The application will thus be examined accordingly.

Claim to victim status

It is claimed that on 5 March 2003, the soldiers of Jean-Pierre Bemba invaded [REDACTED] and drove the population out in order to pillage their houses. When they arrived at their place of residence, the grand-son fled and left his grandmother inside. It is stated that the soldiers forced the grandmother to drink their urine. As a consequence, she allegedly got an infection that led to her total paralysis and to her death three years later.¹²⁶

Analysis and conclusions

The Chamber notes that the identity of the person introducing the application is demonstrated in the identity documents provided in application [REDACTED]. The Chamber further notes that the death certificate demonstrates the identity of the deceased grandmother and the parental link with her grandson who

¹²⁵ ICC-01/05-01/08-936-Conf-Exp-Anx50; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 100 to 101.

¹²⁶ ICC-01/05-01/08-936-Conf-Exp-Anx50, pages 9 to 11, 18 to 19.

introduced the application. Accordingly, the Chamber is satisfied that the identities of the applicant, the person acting on behalf as well as the kinship between them are sufficiently established.

Regarding the harm claimed, the Chamber notes that the person introducing the application states that his grandmother died as a consequence of infections caused through the drinking of the soldier's urine. However, as confirmed by the death certificate, the death occurred only three years after the actual event. Notwithstanding the statement in the death certificate whereby the death is related to the drinking of the urine, the Chamber is not convinced of the causal link between the event and the death. As the application does not contain any further claim with regard to the commission of a crime confirmed against the accused, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, the Banyamulengués attacked [REDACTED] and looted her house, located in the [REDACTED] area. As a consequence of the pillage, she lost all the construction material she had stocked in view of the reconstruction of her house. She lists and values the lost items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁸

Analysis and conclusions

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

¹²⁷ ICC-01/05-01/08-936-Conf-Exp-Anx51; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 102 to 103.

¹²⁸ ICC-01/05-01/08-936-Conf-Exp-Anx51, pages 9 to 11.

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, he fled with his children to the forest because the Banyamulengués invaded the town of [REDACTED]. He alleges that they looted his house in the [REDACTED] area. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁰

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 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 March 2003.

Applicant [REDACTED]

Claim to victim status

¹²⁹ ICC-01/05-01/08-936-Conf-Exp-Anx52; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 104 to 105.

¹³⁰ ICC-01/05-01/08-936-Conf-Exp-Anx52, pages 9 to 11.

¹³¹ ICC-01/05-01/08-936-Conf-Exp-Anx53; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 106 to 107.

The applicant states that on 5 March 2003, she fled with her mother and her three children to the forest, because of the occupation of [REDACTED] by the Banyamulengués. She alleges that all her belongings and money that she left at home, in the [REDACTED] area, were looted by the soldiers. She adds that they lived very harsh moments in the forest. As a result of the alleged events, the applicant claims to have suffered material harm.¹³²

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 [REDACTED] on an unspecified date as of 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, he was on a boat that was seized by the Banyamulengués in the waters marking the boundary between the CAR and the DRC, in [REDACTED]. He alleges that they pillaged his money and belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁴

Analysis and conclusions

¹³² ICC-01/05-01/08-936-Conf-Exp-Anx53, pages 9 to 11.

¹³³ ICC-01/05-01/08-936-Conf-Exp-Anx54; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 108 to 109.

¹³⁴ ICC-01/05-01/08-936-Conf-Exp-Anx54, pages 9 to 11.

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 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 money and belongings by the Banyamulengués of Jean-Pierre Bemba on 6 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, she fled with her children to the forest due to the occupation of [REDACTED] by the Banyamulengués. She alleges that they looted all her belongings she left at home, in the [REDACTED] area of the town. She lists and values the looted goods. 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.

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 5 March 2003.

¹³⁵ ICC-01/05-01/08-936-Conf-Exp-Anx55; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 110 to 111.

¹³⁶ ICC-01/05-01/08-936-Conf-Exp-Anx55, pages 9 to 11.

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

The applicant states that on 6 March 2003, he was coming back to CAR from [REDACTED] DRC, by boat. Once arrived in [REDACTED] [REDACTED]s after the frontier between the DRC and the CAR, the Banyamulengués seized his boat. He alleges that they hit some of the passengers and raped some of the women. He also contends that they looted the belongings that he lists and values as well as money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁸

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that 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 on 6 March 2003 in [REDACTED]

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

The applicant states that on 15 November 2002, she was navigating back from [REDACTED] DRC, to Bangui. She alleges that once in [REDACTED] (Lobaye Prefecture), Jean-Pierre Bemba's men, known as Banyamulengués, looted her

¹³⁷ ICC-01/05-01/08-936-Conf-Exp-Anx56; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 112 to 113.

¹³⁸ ICC-01/05-01/08-936-Conf-Exp-Anx56, pages 9 to 11.

¹³⁹ ICC-01/05-01/08-936-Conf-Exp-Anx57; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 114 to 115.

belongings and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered 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 the pillage of her belongings and merchandise by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 she was coming back by boat from [REDACTED] (Congo-Brazzaville) to Bangui in order to sell some products she had bought in [REDACTED]. She alleges that, when they arrived in [REDACTED] the Banyamulengués assaulted the boat and looted all her property and merchandise. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴²

Analysis and conclusions

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

¹⁴⁰ ICC-01/05-01/08-936-Conf-Exp-Anx57, pages 10 to 12.

¹⁴¹ ICC-01/05-01/08-936-Conf-Exp-Anx58; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 116 to 117.

¹⁴² ICC-01/05-01/08-936-Conf-Exp-Anx58, pages 10 to 12.

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 on 15 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, the Banyamulengués deployed from [REDACTED] to [REDACTED] and her husband advised her to flee and seek refuge in [REDACTED]. She states that, while she was on her way, she encountered the Banyamulengués at the level of [REDACTED]. She alleges that they raped her in the bush for more than eight hours and then they looted the belongings that she lists and values. She further states that as consequence of the rape she is not able to conceive anymore and she got divorced. As a result of the alleged events, the applicant claims to have suffered physical, psychological and 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 that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 5 March 2003 in [REDACTED]

¹⁴³ ICC-01/05-01/08-936-Conf-Exp-Anx59; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 118 to 119.

¹⁴⁴ ICC-01/05-01/08-936-Conf-Exp-Anx59, pages 10 to 12.

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

The applicant states that on 15 November 2002, she was on the Oubangui River going from [REDACTED] in DRC, to Bangui. She says that when the boat arrived in the harbour of [REDACTED] the Banyamulengués who already had the control of the town, hit the passengers of the boat and looted all her merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and 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 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 on 15 November 2002 in [REDACTED]

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

The applicant states that on 5 March 2003, the Banyamulengués entered her house, located in the [REDACTED] area of [REDACTED] and looted all her property, which she lists and values. She says that she had to take refuge in

¹⁴⁵ ICC-01/05-01/08-936-Conf-Exp-Anx60; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 120 to 121.

¹⁴⁶ ICC-01/05-01/08-936-Conf-Exp-Anx60, pages 10 to 12.

¹⁴⁷ ICC-01/05-01/08-936-Conf-Exp-Anx61; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 122 to 123.

the bush with her children. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁸

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, he was on the boat going from [REDACTED] DRC, to Bangui. He says that when he arrived in the port of [REDACTED] the Banyamulengués hit him with the butt of their gun and looted his belongings. As a result of the alleged events, the applicant claims to have suffered physical, 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

¹⁴⁸ ICC-01/05-01/08-936-Conf-Exp-Anx61, pages 10 to 12.

¹⁴⁹ ICC-01/05-01/08-936-Conf-Exp-Anx62; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 124 to 125.

¹⁵⁰ ICC-01/05-01/08-936-Conf-Exp-Anx62, pages 9 to 11.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, she was coming back from [REDACTED] to Bangui by boat. Once arrived in [REDACTED] she asserts that the Banyamulengués had the control over the town and that they looted all her belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵²

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 on 15 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, the Banyamulengués took control over [REDACTED] and entered his house. He alleges that they looted all his property, including the merchandise he kept in his bedroom, and left his

¹⁵¹ ICC-01/05-01/08-936-Conf-Exp-Anx63; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 126 to 127.

¹⁵² ICC-01/05-01/08-936-Conf-Exp-Anx63, pages 10 to 12.

¹⁵³ ICC-01/05-01/08-936-Conf-Exp-Anx64; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 128 to 129.

house completely empty. He also states that they destroyed the doors and windows of his place, leaving only the walls of the house. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material 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 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, upon the attack of [REDACTED] by the Banyamulengués of Jean-Pierre Bemba, he fled to the forest with his family. He alleges that when he returned to his house in the [REDACTED] area of the town, he realized that the Banyamulengués looted his belongings, which he lists and values. 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.

¹⁵⁴ ICC-01/05-01/08-936-Conf-Exp-Anx64, pages 9 to 11.

¹⁵⁵ ICC-01/05-01/08-936-Conf-Exp-Anx66; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 130 to 131.

¹⁵⁶ ICC-01/05-01/08-936-Conf-Exp-Anx66, pages 9 to 11.

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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, when the Banyamulengués attacked [REDACTED] he left his house next to the river and fled with his family to the forest. He alleges that, upon his return, he discovered that the Banyamulengués looted his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵⁸

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 on 5 March 2003, in [REDACTED]

Applicant [REDACTED]

¹⁵⁷ ICC-01/05-01/08-936-Conf-Exp-Anx65; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 130 to 131.

¹⁵⁸ ICC-01/05-01/08-936-Conf-Exp-Anx65, pages 9 to 11.

¹⁵⁹ ICC-01/05-01/08-936-Conf-Exp-Anx67; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 134 to 135.

Claim to victim status

The applicant states that on 5 March 2003, the Banyamulengués of Jean-Pierre Bemba invaded the town of [REDACTED] and surrounded her house in the area known as [REDACTED]. He fled with his family to the forest to take refuge. He alleges that, once back to his home, he found that it had been pillaged and destroyed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁰

Analysis and conclusions

Although the Chamber notes a two months discrepancy between the date of birth on the application form and on the birth certificate attached thereto, it considers that it might be the result of a clerical error and thus the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED] [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 March 2003, when the Banyamulengués of Jean-Pierre Bemba invaded the town of [REDACTED] he fled with his family to the forest to take refuge. He alleges that, upon his return home, in the [REDACTED] area, he found that the Banyamulengués had pillaged his

¹⁶⁰ ICC-01/05-01/08-936-Conf-Exp-Anx67, pages 9 to 11.

¹⁶¹ ICC-01/05-01/08-936-Conf-Exp-Anx68; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 136 to 137.

belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶²

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 house by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 March 2003, when the Banyamulengués of Jean-Pierre Bemba invaded the town of [REDACTED] he fled with his family to the forest to take refuge. He alleges that, upon his return home, in the [REDACTED] area, he found that the Banyamulengués had pillaged all his belongings and money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁴

Analysis and conclusions

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

¹⁶² ICC-01/05-01/08-932-Conf-Exp-Anx68, pages 9 to 11.

¹⁶³ ICC-01/05-01/08-936-Conf-Exp-Anx69; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 138 to 139.

¹⁶⁴ ICC-01/05-01/08-936-Conf-Exp-Anx69, pages 9 to 11.

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 and money by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 March 2003, when the Banyamulengués of Jean-Pierre Bemba attacked the town of [REDACTED] he fled with his family to the forest. He alleges that, upon his return home, in the [REDACTED] area, he found that his money and goods, including construction material, had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and 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 goods and money by the Banyamulengués of Jean-Pierre Bemba on a unspecified date as of 5 March 2003 in [REDACTED]

¹⁶⁵ ICC-01/05-01/08-936-Conf-Exp-Anx70; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 140 to 141.

¹⁶⁶ ICC-01/05-01/08-936-Conf-Exp-Anx70, pages 9 to 11.

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

The applicant states that, on 5 March 2003, the Banyamulengués of Jean-Pierre Bemba occupied the town of [REDACTED]. He alleges that they pillaged all his belongings in the [REDACTED] area. As a result of the alleged events, the applicant claims to have suffered material and psychological 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 by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]
[REDACTED]

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

The applicant states that on 5 March 2003, when the Banyamulengués of Jean-Pierre Bemba attacked the town of [REDACTED], he and his family fled to the forest. He alleges that they pillaged his house located in the [REDACTED] area and his shop in the [REDACTED] area. He adds that, after the event, he moved to Bangui to live with his brother, who provided him with a piece of

¹⁶⁷ ICC-01/05-01/08-936-Conf-Exp-Anx71; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 142 to 143.

¹⁶⁸ ICC-01/05-01/08-936-Conf-Exp-Anx71, pages 9 to 11.

¹⁶⁹ ICC-01/05-01/08-936-Conf-Exp-Anx72; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 144 to 145.

land in order for him to sustain his family. 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 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 house in [REDACTED] and his shop in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, he was travelling on the boat to [REDACTED] (DRC) to sell his merchandise. He alleges that, in the waters marking the boundary between the CAR and the DRC, precisely in [REDACTED] the Banyamulengués of Jean-Pierre Bemba took possession of the boat and stole all his merchandise. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷²

Analysis and conclusions

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

¹⁷⁰ ICC-01/05-01/08-936-Conf-Exp-Anx72, pages 9 to 11.

¹⁷¹ ICC-01/05-01/08-936-Conf-Exp-Anx73; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 146 to 147.

¹⁷² ICC-01/05-01/08-936-Conf-Exp-Anx73, pages 9 to 11.

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 by the Banyamulengués of Jean-Pierre Bemba on 6 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 6 March 2003, he was travelling on the boat to [REDACTED] (DRC) to sell some goods. He alleges that, in the waters marking the boundary between the DRC and the CAR, in [REDACTED] the Banyamulengués of Jean-Pierre Bemba assaulted the boat and stole all his merchandise. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁴

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 merchandise by the Banyamulengués of Jean-Pierre Bemba on 6 March 2003 in [REDACTED]

Applicant [REDACTED]

¹⁷³ ICC-01/05-01/08-936-Conf-Exp-Anx74; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 148 to 149.

¹⁷⁴ ICC-01/05-01/08-936-Conf-Exp-Anx74, pages 9 to 11.

¹⁷⁵ ICC-01/05-01/08-936-Conf-Exp-Anx75; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 150 to 151.

Claim to victim status

The applicant states that, on 6 March 2003, she was travelling on the boat to [REDACTED] (DRC) to sell some goods. She alleges that, in the waters marking the boundary between the DRC and the CAR, in [REDACTED] the Banyamulengués of Jean-Pierre Bemba took possession of the boat and stole her merchandise. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁶

Analysis and conclusions

Although the Chamber notes a 10 days' discrepancy in the date of birth between the application form and the document attached thereto, it considers that it might be the result of a clerical error and thus the identity of the applicant is sufficiently demonstrated.

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

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

The applicant states that on 6 March 2003 he was going by boat to [REDACTED] (DRC) for commercial purposes. He alleges that once in [REDACTED] at the border between the CAR and the DRC, the Banyamulengués of Jean-Pierre Bemba assaulted the boat and stole his goods and money. As a result of the

¹⁷⁶ ICC-01/05-01/08-936-Conf-Exp-Anx75, pages 9 to 11.

¹⁷⁷ ICC-01/05-01/08-936-Conf-Exp-Anx76; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 152 to 153.

alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁸

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 goods and money by the Banyamulengués of Jean-Pierre Bemba on 6 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, he was on the boat to [REDACTED] (DRC) for commercial purposes. He alleges that in [REDACTED] (sub-prefecture of Lobaye), at the border between the CAR and the DRC, the Banyamulengués of Jean-Pierre Bemba took possession of the boat and pillaged his goods and money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁰

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

¹⁷⁸ ICC-01/05-01/08-936-Conf-Exp-Anx76, pages 9 to 11.

¹⁷⁹ ICC-01/05-01/08-936-Conf-Exp-Anx77; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 154 to 154.

¹⁸⁰ ICC-01/05-01/08-936-Conf-Exp-Anx77, pages 9 to 11.

basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his goods and money by the Banyamulengués of Jean-Pierre Bemba on 6 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in March 2003, at [REDACTED] the boat she was travelling on was attacked by the men of Jean-Pierre Bemba. She contends that they shot at the boat and took it to [REDACTED] in the DRC. She alleges that she lost all her merchandise. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸²

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to March 2003 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber observes that, according to the applicant's account, his boat was intercepted in [REDACTED] and is thus satisfied that the interception, thus at least the pillage of the boat, *prima facie* took place within CAR territory. The Chamber considers that, overall, the applicant has provided sufficient

¹⁸¹ ICC-01/05-01/08-936-Conf-Exp-Anx78; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 156 to 157.

¹⁸² ICC-01/05-01/08-936-Conf-Exp-Anx78, pages 9 to 11.

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 boat in [REDACTED] in March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 March 2003, when the Banyamulengués of Jean-Pierre Bemba attacked [REDACTED] he fled with his family to the forest. Upon his return, he alleges that his two houses in the [REDACTED] area of the town were pillaged, including his agricultural and fishing equipment. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁴

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 two houses, including his agricultural and fishing equipment, by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

¹⁸³ ICC-01/05-01/08-936-Conf-Exp-Anx79; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 158 to 159.

¹⁸⁴ ICC-01/05-01/08-936-Conf-Exp-Anx79, pages 9 to 11.

¹⁸⁵ ICC-01/05-01/08-936-Conf-Exp-Anx80; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 160 to 161.

The applicant states that, on 15 November 2002, on the way back to Bangui, the boat she was travelling on docked at the harbour of [REDACTED]. She says that she immediately realized that the town was under siege by the troops of Jean-Pierre Bemba. She alleges that they pillaged her merchandise and money and took them to the other side of the river, in the DRC. 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.

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 merchandise and money by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The application is submitted on behalf of the deceased applicant by his son.

It is stated that, on 15 November 2002, the applicant was coming back home from a boat trip to [REDACTED] for trade purposes. It is alleged that, in [REDACTED], the boat was assaulted by the Banyamulengués who killed the applicant and, according to the witnesses, threw his body in the river. The applicant's body has never been found. It is further claimed that the applicant's belongings were stolen. As a result of the alleged events, it is claimed that the applicant

¹⁸⁶ ICC-01/05-01/08-936-Conf-Exp-Anx80, pages 10 to 12.

¹⁸⁷ ICC-01/05-01/08-936-Conf-Exp-Anx81; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 162 to 163.

has suffered physical and material harm. In addition, the person acting on behalf of the applicant claims that he has also suffered psychological harm due to the murder of his father.¹⁸⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and of his son who is acting on his behalf, as well as their kinship.

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 he suffered personal harm as a result of crimes confirmed against the accused, namely his murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002 in [REDACTED]

In addition, the Chamber considers that the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his father by the Banyamulengués of Jean-Pierre Bemba on 15 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 15 November 2002, in the harbour of [REDACTED] the boat where she was travelling was assaulted by the Banyamulengués of Jean-Pierre Bemba. She reports that they ordered the passengers to get off one by one with their hands up. She alleges that they

¹⁸⁸ ICC-01/05-01/08-936-Conf-Exp-Anx81, pages 10 to 12, 20.

¹⁸⁹ ICC-01/05-01/08-936-Conf-Exp-Anx82; ICC-01/05-01/08-942-Conf-Exp-Anx3, pages 164 to 165.

pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁰

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 on 15 November 2002 in [REDACTED]

¹⁹⁰ ICC-01/05-01/08-936-Conf-Exp-Anx82, pages 10 to 12.