

ANNEX A

Group A: Bangui/PK12

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 11 November 2002 the Banyamulengués of Jean-Pierre Bemba attacked and looted his house situated in [REDACTED]. The applicant lists and values his loss. He claims that, the following day, his family escaped and sought refuge in [REDACTED], while he remained and was forced to live with the Banyamulengués in his house for approximately five months. He states that one of his sons, having returned to [REDACTED] to visit him on 16 November 2002, was asked by the Banyamulengués to sell a radio and was severely beaten when he failed to do so, as a consequence of which, he died three months later, on [REDACTED] February 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²

Analysis and conclusions

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

In relation to the defence submission concerning an alleged inconsistency of the time of death as presented in the relevant certificates, the Chamber notes that any such inconsistency, which may well be the result of inadvertent error, is not determining for the purposes of its present examination.

¹ ICC-01/05-01/08-796-Conf-Exp-Anx31.

² ICC-01/05-01/08-796-Conf-Exp-Anx31, page 24.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate his relationship with his son who was allegedly killed as well as the latter's identity.

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 murder of his son and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that, on 11 February 2003, the applicant visited his father in [REDACTED] whose house, at the time, was being occupied by the Banyamulengués. It is further claimed that the Banyamulengués ordered the applicant to sell a radio, and, when he failed to do so, tied him up and beat him in a savage manner. It is stated that the applicant died in the course of the same evening. As a result of the alleged events, it is claimed that the applicant suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.⁴

Analysis and conclusions

³ ICC-01/05-01/08-796-Conf-Exp-Anx128.

⁴ ICC-01/05-01/08-796-Conf-Exp-Anx128, pages 9 and 35.

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

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba on 11 February 2003 in [REDACTED]. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his son by the Banyamulengués of Jean-Pierre Bemba on 11 February 2003 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 8 December 2002, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometres away from Bangui, on the road to [REDACTED]. He claims that they broke into his second home and two soldiers raped the applicant's thirty five year old daughter, who was pregnant, and then ordered the applicant's son to rape her as well. It is stated that, when the applicant's son refused to do so, the Banyamulengués shot both of them. The applicant further claims that they ordered him and his wife to lie down on the floor and pointed their guns at them. He claims that they pillaged their farm and

⁵ ICC-01/05-01/08-796-Conf-Exp-Anx147.

carried the bodies of their children towards the fields. The applicant says that he followed the traces of blood, found the bodies of his children and subsequently buried them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶

Analysis and conclusions

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

As to the defence submission concerning the discrepancy as to the time and place of death set out in the relevant death certificates, the Chamber notes that it does not materially undermine the remainder of the evidence provided for the purposes of the Chamber's present assessment.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate his relationship with his son who was allegedly killed and with his daughter who was allegedly raped and killed. The applicant further appended death certificates as well as proof of the identity of his deceased children.

Having examined the application as a whole, the Chamber is satisfied 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 murder of his children, the rape of his daughter and the pillage of his house by the Banyamulengués of Jean-Pierre Bemba on 8 December 2002 in the village of 

⁶ ICC-01/05-01/08-796-Conf-Exp-Anx147, pages 19 to 21.

Applicant [REDACTED]

Claim to victim status

The applicant is a non-governmental organisation which has as its mission the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. The application is introduced by the [REDACTED]
of the organisation.

It is stated that, on 5 January 2003, the Banyamulengués invaded the [REDACTED] area of Bangui, where the seat of the applicant organisation is located, and occupied the seat of the organisation until 15 March 2003. It is claimed that they pillaged the organisation's furniture and documents and destroyed the doors and windows of the building. The losses are listed and valued. As a result of the alleged events, it is claimed that the applicant organisation has suffered material harm.⁸

Analysis and conclusions

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

Having examined the application as a whole, the Chamber is satisfied that the organisation and its belongings fall under the scope of Rule 85(b) of the Rules and that sufficient evidence has been provided to establish *prima facie* that it is a victim under Rule 85 (b), on the basis that it suffered direct harm as a result of

⁷ ICC-01/05-01/08-796-Conf-Exp-Anx155.

⁸ ICC-01/05-01/08-796-Conf-Exp-Anx155, pages 7 to 8, 14 to 19.

crimes confirmed against the accused, namely the pillage of its property by the Banyamulengués of Jean-Pierre Bemba from 5 January 2003 to 15 March 2003 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 5 January 2003, when the Banyamulengués arrived in [REDACTED] he and his wife and children fled to his sister's house, located in the [REDACTED] area of Bangui. He claims that his brother stayed at his house, located in the [REDACTED] area of [REDACTED] and that he was injured by the Banyamulengués. The applicant says that, on an unspecified date, he returned to [REDACTED] and discovered that the Banyamulengués had occupied the entire area, including his house. He claims that he stayed in the neighbourhood for two days and slept at his aunt's house and that, on the second day, he heard that the Banyamulengués were taking the men hostage as they suspected them of cooperating with Bozizé. He states that that same day, he saw Bemba on [REDACTED]. The applicant claims that he left [REDACTED] and returned to the [REDACTED] area to join his family. On [REDACTED] February 2003, the applicant's brother died as a result of his injuries. On 15 March 2003, the applicant, together with his family, returned to [REDACTED] and found that their house had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰

Analysis and conclusions

⁹ ICC-01/05-01/08-796-Conf-Exp-Anx157.

¹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx157, pages 9 to 11, 19 to 25.

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 his relationship with his brother who was allegedly killed. The applicant further appended a death certificate as well as proof of the identity of his deceased brother.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his brother and the pillage of his house by the Banyamulengués of Jean-Pierre Bemba between 5 January 2003 and 15 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 27 October 2002, she left her house and fled, together with her five children, to the [REDACTED] [REDACTED] in [REDACTED]. She claims that she was found by two soldiers of Jean-Pierre Bemba who raped her. Furthermore, she states that she was raped by four other soldiers and abandoned. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹²

Analysis and conclusions

¹¹ ICC-01/05-01/08-796-Conf-Exp-Anx198.

¹² ICC-01/05-01/08-796-Conf-Exp-Anx198, page 9.

The Chamber considers that the document provided demonstrates the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba on 27 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to Victim Status

The applicant states that on 30 October 2002 the Banyamulengués invaded the [REDACTED] area of Bangui. He states that when he heard that a woman had been assassinated and that the properties are being pillaged, he decided to flee together with his family to [REDACTED]. He claims that they stayed in a forest for three days and that, during this time, his eldest son contracted malaria. The applicant claims that upon his return to Bangui he found that his house had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴

Analysis and conclusions

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

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

¹³ ICC-01/05-01/08-796-Conf-Exp-Anx2.

¹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx2, page 11.

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 30 October 2002 in the [REDACTED] of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, when the Banyamulengués arrived in the [REDACTED] area of Bangui, she was at her house together with her five children, her mother and her cousins; her husband was on a mission in the Northern part of the CAR. She claims that nineteen Banyamulengués broke the front door of her house and that three or four of them raped her one after the other and kidnapped her cousin. She further states that she fled to [REDACTED] where she stayed for several months. Upon her return to Bangui she found that her house had been looted. The applicant states that, at the time of the events she was pregnant and that, as a result of the rape, her daughter was born dead. She also says that she was stigmatised by her community and abandoned by her husband and that she suffers from anxiety, depression, physical pain and fear of men and is unable to receive appropriate treatment due to lack of resources. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶

Analysis and conclusions

¹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx3.

¹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx3, pages 9 to 12, 30 to 35.

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

The Chamber finds 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 15 November 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002 the Banyamulengués invaded and occupied the [REDACTED] area of Bangui, where her house was located. She states that on 26 October 2002 her house was shelled and she and her daughter were injured and the house was severely damaged. She claims that both the applicant and her daughter were admitted to the hospital of Bangui where they stayed for a period of approximately four months, particularly due to the serious condition of her daughter. The applicant states that upon their return, they found that their house was looted and damaged. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁸

Analysis and conclusions

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

¹⁷ ICC-01/05-01/08-796-Conf-Exp-Anx5.

¹⁸ ICC-01/05-01/08-796-Conf-Exp-Anx5, page 21.

The Chamber finds that, on the basis of the applicant's account of the relevant events, she 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 of 26 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

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

It is stated that in October 2002, the Banyamulengués occupied the [REDACTED] area of Bangui, where the applicant's house was located. It is claimed that on 26 October 2002 her house was shelled and as such, severely damaged. The applicant was seriously injured and admitted to a hospital for a period of approximately four months. When she came back home, together with her mother, she found that the house had been severely destroyed and looted. It is submitted that the applicant has been traumatised by the attack and still suffers pain as a result of her injuries. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰

Analysis and conclusions

¹⁹ ICC-01/05-01/08-796-Conf-Exp-Anx6.

²⁰ ICC-01/05-01/08-796-Conf-Exp-Anx6, page 9.

The Chamber considers that the documents provided demonstrate the identity of the applicant and of the person acting on the applicant's behalf as well as their kinship.

The Chamber finds that, on the basis of the applicant's account of the relevant events, it has provided sufficient evidence to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba as of 26 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, when his son went out of his hiding place, in the [REDACTED] area of Bangui, to check whether the Banyamulengués had left the neighbourhood, he was caught, tortured and beaten to death by the soldiers. It is stated that his body was severely bruised particularly on his head and neck. As a result of the alleged events, the applicant claims to have suffered psychological harm.²²

Analysis and conclusions

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

²¹ ICC-01/05-01/08-796-Conf-Exp-Anx7.

²² ICC-01/05-01/08-796-Conf-Exp-Anx7, page 11.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate his relationship with his son who was allegedly killed as well as the latter's identity.

On the basis of 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his son by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant is the [REDACTED] a non governmental organisation which mandate is to [REDACTED]

[REDACTED]. The application has been submitted by the NGO's [REDACTED].

In the application, it is stated that on 15 March 2003 Jean-Pierre Bemba's soldiers entered Bangui and, passing by the [REDACTED] road on their way to [REDACTED] in order to leave the country, looted the school and destroyed the furniture and teaching material found in the school's premises. Due to lack of funds, the school has ceased to operate. As a result of the alleged events, it is claimed that the applicant organisation has suffered material harm.²⁴

Analysis and conclusions

²³ ICC-01/05-01/08-796-Conf-Exp-Anx8.

²⁴ ICC-01/05-01/08-796-Conf-Exp-Anx8, page 19.

The Chamber considers that the documents provided demonstrate the identity of the applicant as well of the identity and the legal standing of the person acting on its behalf.

The Chamber considers that the organisation which property was dedicated to education has provided sufficient evidence to establish *prima facie* that it is a victim under Rule 85 (b), on the basis that it suffered direct harm as a result of crimes confirmed against the accused, namely the pillage of its property by the Banyamulengués of Jean-Pierre Bemba in March 2003 in Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 October 2002 a shell was launched from the military base of the troops of Jean-Pierre Bemba and hit her house, located in the [REDACTED] area of Bangui. She claims the she was severely injured and a child standing next to her died. The explosion substantially damaged her house and her belongings. The applicant was taken to the community hospital where she was given treatment. The explosion left her wheelchair-bound and she could not resume her sewing and tailoring activities; she was left without any income and has been unable to repair her house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶

Analysis and conclusions

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

²⁵ ICC-01/05-01/08-796-Conf-Exp-Anx9.

²⁶ ICC-01/05-01/08-796-Conf-Exp-Anx9, pages 19 to 24.

However, the harm the applicant suffered was the result of the shelling of her house. For the reasons set out in the Chamber's Decision of 30 June 2010 on the participation of victims in the trial²⁷ and given the particular formulation of the charges as confirmed, the Chamber finds that the harm suffered by this applicant does not sufficiently relate to a crime included in the charges against the accused and her application to participate is, accordingly, refused. This conclusion can be revisited if the evidence in trial supports a different conclusion.

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002, when she was informed that the troops of Patassé were attacking members of their ethnic tribe, Yakoma, she fled, together with her husband and children, to [REDACTED] in order to escape the conflict between the troops of Bozizé and those of Patassé in Bangui. On 30 October 2002 the troops of Bemba and Miskine started to search [REDACTED] and the applicant's husband and children fled. The applicant remained behind together with her elderly mother. Three men, who spoke Lingala, entered her house and raped her. As soon as they left, the applicant fled together with her mother towards [REDACTED]. On their way, she witnessed Miskine's men cutting the throat of some Chadian people. She returned to her house the following day and she found that it had been looted. She claims that after her rape, her husband and children refused to see her again. The applicant states that she is traumatised, she has physical pain and sleeping problems and that she does not lead a normal life.

²⁷ ICC-01/05-01/08- 807, paras 87 to 89.

²⁸ ICC-01/05-01/08-796-Conf-Exp-Anx10.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹

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 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 pillage of her house by the Banyamulengués of Jean-Pierre Bemba on or about 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002 he attended a prayer at the [REDACTED] of [REDACTED] in Bangui together with his wife. He claims that on their way home, they were stopped by the troops of Bemba who were in control of the area of the [REDACTED] area. He states that him and his wife were stopped at gun point by the troops of Bemba and were asked to identify themselves. His wife was taken in a nearby tent where she was raped. They were subsequently released. The applicant further claims that the soldiers pillaged his money. The attack has left them deeply traumatised and, as a result of the rape,

²⁹ ICC-01/05-01/08-796-Conf-Exp-Anx10, page 26.

³⁰ ICC-01/05-01/08-796-Conf-Exp-Anx11.

the applicant's wife has been unable to have children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹

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 his relationship with his wife who was allegedly raped as well as the latter's identity.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the rape of his wife and the pillage of his money by the Banyamulengués of Jean-Pierre Bemba on 2 November 2002 in the [REDACTED] [REDACTED] area of Bangui.

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002 Jean-Pierre Bemba's soldiers raided the [REDACTED] village, [REDACTED] When they entered his farm, he escaped by a window and hid behind the building. He claims that the soldiers captured his wife and raped her and that his younger brother was shot by the soldiers because he tried to protect the applicant's wife, who was kidnapped by the soldiers and has been missing ever since. According to the applicant, a witness has reported seeing her

³¹ ICC-01/05-01/08-796-Conf-Exp-Anx1, ICC-01/05-01/08-796-Conf-Exp-Anx11

³² ICC-01/05-01/08-796-Conf-Exp-Anx12.

in a Banyamulengués base in [REDACTED] He states that the soldiers caused severe damage to the farm and pillaged his cattle. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³³

Analysis and conclusions

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

As to the alleged disappearance of the applicant's wife, the Chamber notes that, at the present stage, it does not have sufficient information to decide whether she may be presumed dead as a result of the Banyamulengués' activities. Furthermore, the Chamber underlines that the applicant has not provided any documents to demonstrate the identity 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.

In relation to the allegations related to the murder of his alleged brother, the Chamber notes that the applicant provides his brothers' death certificate and that their kinship can also be inferred from this document. The Chamber is thus of the view that the applicant provided sufficient information to demonstrate the identity of as well as the relationship with the deceased person.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his brother and the pillage of his farm by the Banyamulengués of Jean-Pierre Bemba on 31 October 2002 in [REDACTED]

³³ ICC-01/05-01/08-796-Conf-Exp-Anx12, page 29.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002 she attended an evangelical church service together with her husband in the [REDACTED] area of Bangui. She claims that on their way home they were stopped by Bemba's soldiers who had camped on the road leading to the [REDACTED] area. The applicant states that the soldiers forced them to enter the camp and asked them for identification papers. They forced the applicant to follow two officers, wearing military uniforms, which raped her and threatened to kill her. They subsequently forced her husband to watch her while the officers were mocking them. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.³⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba on 2 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

³⁴ ICC-01/05-01/08-796-Conf-Exp-Anx19.

³⁵ ICC-01/05-01/08-796-Conf-Exp-Anx19, pages 9, 18.

³⁶ ICC-01/05-01/08-796-Conf-Exp-Anx26.

Claim to victim status

The applicant states that on 7 March 2003 she was returning to her house, located in the [REDACTED] village, after having spent the day in the fields collecting fruit and vegetables in order to sell it in the Bangui market. She states that she was travelling by motorcycle together with her son and nephew and was carrying a basket with all the goods they had collected, when, on the road to [REDACTED] they were stopped by a group of armed Banyamulengués, speaking Lingala. The Banyamulengués confiscated their goods and a sum of 58,000 FCFA from her and 123,800 FCFA from her son. She states that a soldier slapped her in the face and she fell on the ground; they also hit her head and tortured her son and both of them were abandoned in the bush. She states that her nephew managed to run away. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁷

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 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 the pillage of her belongings in March 2003 by the Banyamulengués of Jean-Pierre Bemba on the road to [REDACTED]

Applicant [REDACTED]

³⁷ ICC-01/05-01/08-796-Conf-Exp-Anx26, pages 18 to 19.

³⁸ ICC-01/05-01/08-796-Conf-Exp-Anxs 27 and 28.

Claim to victim status

The applicant states that since the year 2000 he had been in charge of his family's [REDACTED], located in [REDACTED]. In 2002 their profits amounted to 6,300,000 FCFA, a sum that the applicant had to return to Bangui. On 2 November 2002 he was returning to Bangui together with seven of his employees in a car owned by his father. Once they reached the [REDACTED] barrier they were stopped by soldiers in military uniform speaking Lingala. The soldiers ill-treated him on the pretext that he was a rebel. The soldiers took the small cash that the applicant and his employees had on them and allowed them to continue their journey. However, when they arrived in [REDACTED] they were stopped again by another group of soldiers speaking Lingala. They were forced to come out of their car; the applicant was hit with a rifle and fell on the ground. The soldiers stole his car in which the sum of 6,300,000 FCFA was kept together with all the luggage of the applicant and his employees. The applicant went to a hospital where it was confirmed that he had sustained a tibial plateau fracture. He was advised to undergo surgery but the applicant could not afford the costs of the suggested treatment. He was immobilised for forty- five days. A month later he found his car in [REDACTED]. However, the car had sustained substantial damage that is demonstrated in two photographs attached to the application. The applicant also submits a list of his lost belongings, which he values, together with an estimate of the damage caused to the car. He further states that he has been left handicapped and unable to work and that he had to [REDACTED] [REDACTED] that used to be under his supervision. As a result of these

events, the applicant claims to have suffered physical, psychological and material harm.³⁹

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

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 20 October 2002, the applicant went to visit her mother who was living in the [REDACTED] area of Bangui. However, upon her arrival, she was informed that a person had been injured and was being treated at the [REDACTED] hospital in Bangui. As the applicant was afraid that the injured person could be her mother, she decided to go to the hospital. It is stated that on her way to the hospital, close to the [REDACTED] [REDACTED] neighbourhood, the applicant was stopped by a group of soldiers, who were speaking Lingala. It is submitted that she was raped

³⁹ ICC-01/05-01/08-796-Conf-Exp-Anx27 and 28, page 15.

⁴⁰ ICC-01/05-01/08-796-Conf-Exp-Anx29 and 30.

by several soldiers. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁴¹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and of the person acting on the applicant's behalf as well as their kinship.

The Chamber notes that the date of the alleged events provided by the applicant (20 October 2002) falls 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 (notably the fact that the soldiers were speaking Lingala and the location where soldiers allegedly attacked her) and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

Accordingly, 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 by the Banyamulengués of Jean-Pierre Bemba in October 2002 in Bangui.

Applicant [REDACTED]

Claim to victim status

⁴¹ ICC-01/05-01/08-796-Conf-Exp-Anx29 and 30, pages 9 to 11.

⁴² ICC-01/05-01/08-796-Conf-Exp-Anx32.

The applicant states that on 17 October 2002 he witnessed the arrival of the Banyamulengués *via* the route of [REDACTED] in Bangui. He states that his daughter was shot and killed during the Banyamulengués attack. His house, located in [REDACTED] was occupied for one night during which the Banyamulengués forced his wife and children to prepare food for them. The Banyamulengués looted the house before their departure. The applicant sought refuge in another house he owned at [REDACTED]. He states that on an unspecified date in the beginning of 2003 the Banyamulengués destroyed and looted his second house in [REDACTED]. The applicant lists and values his loss. On 15 March 2003 his son, who was fighting with the forces of General Bozizé, was killed. The exact circumstances of his death remain unknown. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴³

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 his relationship with his daughter who was allegedly killed as well as the latter's identity.

The Chamber notes that the date of the alleged events provided by the applicant (17 October 2002) falls 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.

⁴³ ICC-01/05-01/08-796-Conf-Exp-Anx32, pages 9 to 11, 25 to 26, 29 to 30.

Accordingly, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his daughter and the pillage of his belongings in October 2002 and at the beginning of 2003 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] and [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 October 2002 a group of soldiers, wearing military uniforms and speaking Lingala and French, forced her and her children to abandon their house. She fled to [REDACTED] in [REDACTED] where she stayed for approximately one month, given the information she received that her house had been occupied by the Banyamulengués. Upon her return, she found that her house had been completely looted. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁵

Analysis and conclusions

The Chamber considers that the document provided demonstrates the identity of the applicant.

The Chamber notes that the date of the alleged events provided by the applicant (15 October 2002) falls 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 (notably the fact that the soldiers were

⁴⁴ ICC-01/05-01/08-796-Conf-Exp-Anx35.

⁴⁵ ICC-01/05-01/08-796-Conf-Exp-Anx35, pages 9 to 11, 20.

speaking Lingala and the place where the events allegedly took place) 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.

Accordingly, 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 the pillage of her belongings in October 2002 by the Banyamulengués of Jean-Pierre Bemba.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 October 2002 the Banyamulengués invaded [REDACTED] and looted her house. She claims that one of the soldiers, who appeared to be their commander, raped her. The applicant states that she has been traumatised and still suffers from depression and anxiety. She also lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm⁴⁷

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 (20 October 2002) falls outside the temporal scope of the present case.

⁴⁶ ICC-01/05-01/08-796-Conf-Exp-Anx38.

⁴⁷ ICC-01/05-01/08-796-Conf-Exp-Anx38, pages 9, 21.

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. Accordingly, 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 pillage of her belongings in October 2002 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 October 2002 eight Banyamulengués occupied his house, situated behind the [REDACTED] School, and forced him and his wife to flee to [REDACTED]. On an unspecified date they returned to their house that they found that it had been looted. The applicant states that another house he owns, situated in [REDACTED] next to the football stadium, was also looted by the Banyamulengués. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹

Analysis and conclusions

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

⁴⁸ ICC-01/05-01/08-796-Conf-Exp-Anx39.

⁴⁹ ICC-01/05-01/08-796-Conf-Exp-Anx39, pages 9, 20.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 October 2002 four armed Banyamulengués that were based in [REDACTED] entered her house situated in the [REDACTED] neighbourhood. They stole her motorcycle and her clothes. She lists and values her loss. They also forced her niece to carry her mattress back to their base. The next day the applicant went to the Banyamulengués base and asked them to release her niece. She claims that she was threatened and forced to leave. She was subsequently informed of the death of her niece and recovered her body in [REDACTED]. The body carried injuries consistent with rape. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵¹

Analysis and conclusions

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

⁵⁰ ICC-01/05-01/08-796-Conf-Exp-Anx40.

⁵¹ ICC-01/05-01/08-796-Conf-Exp-Anx40, pages 9, 21, 23, 24, 27.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate her relationship with her niece who was allegedly killed as well as the latter's identity.

The Chamber notes that the date of the alleged events provided by the applicant (22 October 2002) falls 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. Accordingly, 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 the murder and the rape of her niece and the pillage of her belongings in October 2002 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 22 October 2002 four armed Banyamulengués that were based in [REDACTED] entered the applicant's house situated in the [REDACTED] area. They stole her aunt's motorcycle and clothes. They forced the applicant to carry her mattress back to their base.

⁵² ICC-01/05-01/08-796-Conf-Exp-Anx41.

The next day her aunt went to the Banyamulengués' base and requested the release of the applicant, but she was threatened by their Commander, referred to as [REDACTED], and was forced to leave the base. It is stated that the aunt was subsequently informed of the death of the applicant and recovered her body, which carried injuries consistent with her being raped before killed and was covered with sperm. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant has suffered physical and material harm⁵³

Analysis and conclusion

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of the person acting on behalf and their relationship.

The Chamber notes that the date of the alleged events provided by the applicant (20 October 2002) falls 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. Accordingly, the Chamber finds that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and murder by the Banyamulengués of Jean-Pierre Bemba in October 2002, in [REDACTED]

Applicant [REDACTED]

⁵³ ICC-01/05-01/08-796-Conf-Exp-Anx41, pages 8, 23, 24.

⁵⁴ ICC-01/05-01/08-796-Conf-Exp-Anx42.

Claim to victim status

The applicant states that on 25 October 2002 the MLC soldiers under the command of Jean-Pierre Bemba set their base in the [REDACTED] area of [REDACTED] where her house was located. On 28 October 2002 fourteen male soldiers and a female soldier entered her house. When they asked to speak to the head of the house she responded with gestures, as she did not speak Lingala, that her husband was dead. A soldier took his penis out and asked her to undress. She responded that she had no intention of doing so when the female soldier pushed her on the bed, undressed her, opened her legs and asked a soldier to rape her. The applicant was raped by the fourteen soldiers in front of her children. Subsequently, they asked her for money and she gave them the sum of 3,000,000 FCFA that she had been given by the brother of her late husband. The soldiers insulted her and forced her to leave her house without taking anything with her. The applicant together with the children sought refuge in [REDACTED] The brother of her late husband subsequently joined the forces of General Bozizé to retaliate and was killed on [REDACTED] February 2003 by MLC soldiers in [REDACTED] The applicant states that she suffered emotional harm that has rendered her psychologically unstable. She also lists and values her lost belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁵

Analysis and conclusions

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

⁵⁵ ICC-01/05-01/08-796-Conf-Exp-Anx42, page 18, 20.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings on 28 October 2002 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002 the Banyamulengués arrived at the [REDACTED] area of [REDACTED] where the applicant's house is located, in a vehicle of the CAR armed forces. The men of the neighbourhood, including the applicant's partner, fled leaving behind the women and children. The applicant stayed in her house together with her two children. The Banyamulengués, identified by their use of Lingala, forced themselves into the applicant's house. The applicant was raped by eleven soldiers who subsequently looted her belongings, which she lists and values. The applicant fled to her father's home in [REDACTED]. The applicant has been left traumatised and suffering from depression, anxiety and suicidal tendencies. She states that she has been infected with HIV as a result of the rape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁷

Analysis and conclusions

⁵⁶ ICC-01/05-01/08-796-Conf-Exp-Anx45.

⁵⁷ ICC-01/05-01/08-796-Conf-Exp-Anx45, page 18.

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

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings on 29 October 2002 by the Banyamulengués of Jean-Pierre Bemba.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 November 2002 the soldiers of Jean-Pierre Bemba, who had their base in the [REDACTED] District of Bangui, launched a massive shelling operation. They also shot at the civilians who were fleeing, raped women and committed pillaged. The applicant claims that he, his wife and their three year old daughter were by the river and that his daughter was shot in the head two times and died instantly. The applicant together with his wife fled and their house was looted. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁹

Analysis and conclusions

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

⁵⁸ ICC-01/05-01/08-796-Conf-Exp-Anx47.

⁵⁹ ICC-01/05-01/08-796-Conf-Exp-Anx47, pages 9 to 12.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate his relationship with his daughter who was allegedly killed as well as the latter's identity.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his daughter and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 20 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 November 2002 a group of young soldiers speaking Lingala arrived in his area, located close to the [REDACTED] in [REDACTED]. The applicant came out of his house; one of the soldiers called him and pointed his gun at him. The soldier punched him in his chest and the applicant fell on to the ground. A couple of soldiers started to kick him violently with their heavy boots. While the applicant was being beaten, other soldiers entered his house and started to beat his wife and children. They raped his wife and his two daughters in front of him and injured his sons. They looted their house taking away the most valuable belongings, which he lists. The applicant states that his family has been left deeply traumatised. After the rape, one of his daughters was infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶¹

⁶⁰ ICC-01/05-01/08-796-Conf-Exp-Anx48.

⁶¹ ICC-01/05-01/08-796-Conf-Exp-Anx48, page 13.

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 the relationship with his alleged wife and daughters. Therefore, the harm alleged by the applicant as a result of the rape of his wife and two daughters 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 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 on 29 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 November 2002 Jean-Pierre Bemba's troops entered her house located in [REDACTED]. She tried to flee but was seized by a group of ten soldiers who hit her on the head and immobilised her. They gagged her, tied her arms and legs and raped her, one after the other, orally, vaginally and anally leaving her badly injured. The rape took place in front of her husband's parents. The applicant states that she has been stigmatised and lost the support of her husband and family. The applicant also claims that her belongings were pillaged.

⁶² ICC-01/05-01/08-796-Conf-Exp-Anx50.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶³

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 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 29 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 November 2002 he was travelling in a convoy from [REDACTED] to [REDACTED] via the road to [REDACTED] when the MLC soldiers opened fire. The applicant was shot in his left leg. The driver, who was also injured, stopped the car and the MLC soldiers tortured the convoy's passengers including the applicant and stole their belongings as well as the vehicles belonging to the applicant's late father. The applicant had to return to his residence on foot. In February 2003 MLC soldiers burned his shop in [REDACTED]. As a result of the

⁶³ ICC-01/05-01/08-796-Conf-Exp-Anx50, pages 9, 11, 12.

⁶⁴ ICC-01/05-01/08-796-Conf-Exp-Anx53.

alleged events, the applicant claims to have suffered psychological and material harms.⁶⁵

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 27 November 2002 on the road to [REDACTED]. However, as to the damage inflicted on the applicant's shop in [REDACTED] the Chamber notes that the harm suffered by the applicant in this respect does not *prima facie* relate to a crime confirmed against the accused. Therefore, in relation to this alleged harm the application is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 and 26 November 2002 a group of MLC soldiers attacked the [REDACTED] area of [REDACTED]. The applicant was injured and his properties looted. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁷

⁶⁵ ICC-01/05-01/08-796-Conf-Exp-Anx53, pages 9 and 10.

⁶⁶ ICC-01/05-01/08-796-Conf-Exp-Anx54.

⁶⁷ ICC-01/05-01/08-796-Conf-Exp-Anx54, page 9.

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 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 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 on 25 and 26 November 2002 in the [REDACTED] area of [REDACTED] [REDACTED]

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant states that on 28 November 2002 Jean-Pierre Bemba's troops invaded [REDACTED] and [REDACTED] as a response to General Bozizé's *coup d'état*. Bemba's troops under the command of Commander Moustapha surrounded the [REDACTED] [REDACTED] in [REDACTED]. Thirteen Banyamulengués forced their way into the applicant's house. The applicant and her two daughters were raped by many soldiers. The applicant herself was orally and vaginally raped consecutively by six soldiers. They then looted the house taking away clothes, furniture and electric appliances as well as the applicant's savings amounting to 4,568,284 FCFA. The following day, 29 November 2002, the Banyamulengués returned to continue the looting of the applicant's house. On 30 November 2002 soldiers of the Presidential Guard under the command of Abdoulaye Miskine arrived in the area and committed further atrocities. The applicant was forced to leave [REDACTED] to return to her village

⁶⁸ ICC-01/05-01/08-796-Conf-Exp-Anx55.

of origin in [REDACTED] [REDACTED] together with her children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁹

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 two daughters. Therefore, the harm alleged by the applicant as a result of the rape of her two daughters 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 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 on 28 and 29 November 2002 in [REDACTED]

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, upon her return to her house, in the [REDACTED] area, she was attacked by five soldiers of Jean-Pierre Bemba. Three of them raped her, stole her supplies as well as the sum of 20,000 FCFA and forced her to cross the Oubangui River with them in order to assist their return to

⁶⁹ ICC-01/05-01/08-796-Conf-Exp-Anx55, pages 9, 11, 27.

⁷⁰ ICC-01/05-01/08-796-Conf-Exp-Anx59.

Zongo in the DRC. The applicant claims to have been infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹

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 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 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 is deceased and the application was introduced on his behalf by his father.

It is stated that on 15 March 2003 the MLC soldiers of Bemba reached the Oubangui River at the level of [REDACTED]. They found the applicant fishing by the banks of the river and ordered him to carry them on foot across the river. The applicant categorically refused to do so and was bluntly murdered by the soldiers who threw his body into the river. His body was found three days later in [REDACTED] and was buried there. As a result of the alleged events, the person

⁷¹ ICC-01/05-01/08-796-Conf-Exp-Anx59, page 9.

⁷² ICC-01/05-01/08-796-Conf-Exp-Anx62.

acting on behalf claims that the applicant suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.⁷³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of the person acting on behalf, as well as their relationship.

Having examined the application as a whole, the Chamber finds that sufficient evidence has been provided to establish *prima facie* that his son 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 his murder by the Banyamulengués of Jean-Pierre Bemba on 15 March 2003 on the banks of the Oubangui River at the level of [REDACTED]. The Chamber further finds that the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that he is also a victim under Rule 85(a), on the basis that he has suffered personal harm as a result of the crimes confirmed against the accused, namely the murder of his son by the Banyamulengués of Jean-Pierre Bemba on 15 March 2003 on the banks of the Oubangui River at the level of [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 January 2003 the Banyamulengués invaded [REDACTED] spreading violence and pillage. The applicant's house was looted and his

⁷³ ICC-01/05-01/08-796-Conf-Exp-Anx62, page 9.

⁷⁴ ICC-01/05-01/08-796-Conf-Exp-Anx63.

uncle and cousin were kidnapped and unlawfully detained by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁵

Analysis and conclusions

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

Overall, 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 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 on 26 January 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 December 2002 he was travelling to Bangui via the national road to [REDACTED] when, approximately outside the village of [REDACTED] he was stopped by a group of forty Banyamulengués that he describes as armed soldiers, male and female, speaking Lingala. The Banyamulengués forced him to get off the vehicle and started to beat him. The applicant was injured and his belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁷

Analysis and conclusions

⁷⁵ ICC-01/05-01/08-796-Conf-Exp-Anx63, page 9.

⁷⁶ ICC-01/05-01/08-796-Conf-Exp-Anx66.

⁷⁷ ICC-01/05-01/08-796-Conf-Exp-Anx66, pages 9, 18, 19.

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

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 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 on 23 December 2002 on the road to [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 November 2002 three armed vehicles of the MLC of Jean-Pierre Bemba arrived in his neighbourhood. They pillaged his house and his farm taking all of his animals. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁹

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 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 has suffered personal harm as a

⁷⁸ ICC-01/05-01/08-796-Conf-Exp-Anx7.

⁷⁹ ICC-01/05-01/08-796-Conf-Exp-Anx70, pages 18 and 29.

result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 she was at her house, located in [REDACTED] together with her mother. All the men of the neighbourhood, including her father, had fled. The Banyamulengués arrived at their house and talked to them in Lingala. She further claims that they raped both of them. The applicant was at the time fourteen years' old. Following the rape the applicant felt stigmatised and isolated. Her parents decided that she should no longer stay in Bangui and sent her abroad. The applicant also states that they pillaged all their belongings including her clothes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸¹

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 and relationship with her alleged mother. Therefore, the harm alleged by the applicant as a result of the rape of her mother 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 she is a

⁸⁰ ICC-01/05-01/08-796-Conf-Exp-Anx73.

⁸¹ ICC-01/05-01/08-796-Conf-Exp-Anx73, page 18.

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 on 30 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the MLC soldiers of Bemba arrived in the [REDACTED] area of Bangui. The men, who were speaking Lingala, broke into her house and looted her most valuable belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸³

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

⁸² ICC-01/05-01/08-796-Conf-Exp-Anx74.

⁸³ ICC-01/05-01/08-796-Conf-Exp-Anx74, page 9.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 30 October 2002, the MLC soldiers of Jean-Pierre Bemba, speaking Lingala, attacked his house, located in the [REDACTED] area of Bangui. He managed to flee but his wife was caught by the soldiers who raped her. The applicant states that after the rape, his wife has been infected with HIV and that he is also HIV positive. The soldiers looted all of the applicant's belongings. Subsequently, the applicant's wife joined him in [REDACTED]. He mentions that on an unspecified date in 2008 his wife died. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁵

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his

⁸⁴ ICC-01/05-01/08-796-Conf-Exp-Anx76.

⁸⁵ ICC-01/05-01/08-796-Conf-Exp-Anx76, pages 9 to 11, 20 to 28.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, on a Saturday morning in February 2003, the Banyamulengués came to her house, located in [REDACTED] [REDACTED]. She asserts that the Banyamulengués killed her husband and raped both her and her daughter. The applicant together with the rest of her family hid in the bush for two weeks. Upon their return, they found their house empty as everything was looted. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁷

Analysis and conclusions

The applicant has provided the Chamber with, *inter alia*, a copy of her birth certificate, the birth certificates of her children as well as the death certificate of her late husband.⁸⁸ The Chamber observes that the death certificate, of which a certified copy was issued on [REDACTED] January 2003, indicates that the death occurred on [REDACTED] October 2002 and was reported and registered by the CAR authorities on [REDACTED] January 2003. Later on, when providing supplementary information, the applicant noted that the dates referred to in the certified copy of the death certificate are erroneous. It also observes that the applicant submitted that the attribution of two different names to her late husband in her application and supplementary information is due to his conversion to Islam. In light of the

⁸⁶ ICC-01/05-01/08-796-Conf-Exp-Anx86.

⁸⁷ ICC-01/05-01/08-796-Conf-Exp-Anx86, pages 9 to 11, 20, 21.

⁸⁸ ICC-01/05-01/08-796-Conf-Exp-Anx86, pages 18 to 29.

abovementioned, the overall application and the relevant evidential threshold, the Chamber considers that the documents provided demonstrate sufficiently the identity of the applicant.

The Chamber further notes that the applicant has provided sufficient documents and information to demonstrate her relationship with her daughter who was allegedly raped and with her husband who was allegedly killed. The applicant also provided sufficient documents to demonstrate her daughter's and husband's identity.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape, the rape of her daughter, the murder of her husband and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in February 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 October 2002 the Banyamulengués arrived in his neighbourhood, close to the [REDACTED]. He asserts that they pillaged his farm taking away all of his sheep and other belongings that he lists and values. He further submits that in February 2003 the troops of Miskine attacked the [REDACTED] and carted away the herdsmen on their jeep in order to kill them. He submits that his son and his nephew were among the killed herdsmen. As a

⁸⁹ ICC-01/05-01/08-796-Conf-Exp-Anx87.

result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹⁰

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 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 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 around 25 October 2002 in PK [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on a Saturday of February 2003, the Banyamulengués attacked [REDACTED] forcing the inhabitants to flee in order to escape the violence. After a week of terror and pillage, the food supplies became very limited and famine fell on the civilian population of [REDACTED]. On 5 March 2003 the applicant together with his father fell into the hands of the Banyamulengués who pillaged their belongings and tortured them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹²

Analysis and conclusions

⁹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx87, pages 9 to 11, 21, 22.

⁹¹ ICC-01/05-01/08-796-Conf-Exp-Anx88.

⁹² ICC-01/05-01/08-796-Conf-Exp-Anx88, pages 9 to 11.

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

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 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 on 5 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, in February 2003, he fled from Bangui together with his family in order to escape the violence spread by the Banyamulengués. They walked for twenty days to arrive at the village of [REDACTED]. On 31 March 2003 he returned to Bangui and found that his four houses had been pillaged; he lists his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁴

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 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 has suffered personal harm as a

⁹³ ICC-01/05-01/08-796-Conf-Exp-Anx89.

⁹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx89, 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 February and March 2003, in Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003 the Banyamulengués occupied [REDACTED]. On 5 March 2003 the applicant together with his son were kidnapped by the Banyamulengués and were detained for approximately ten days in which they were constantly tortured. The Banyamulengués hit the applicant, who lost two of his teeth, and burnt his beard. During their captivity they were fed only on three occasions. On 15 March 2003 they managed to escape and returned to their house that had been looted. After being tortured, the applicant is not fit to work. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁶

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his

⁹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx90.

⁹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx90, pages 9 to 11, 24.

belongings by the Banyamulengués of Jean-Pierre Bemba in March 2003 in

■■■■■

Applicant ■■■■ ■■■■

Claim to victim status

The applicant states that, on 15 March 2003, over 100 soldiers of Jean-Pierre Bemba, speaking Lingala, looted his house situated in the ■■■■ area of Bangui. The applicant lists and values his loss. He further claims that they forced the applicant to transport his luggage to the banks of the Oubangui River by ■■■■ ■■■■. He was subsequently released and allowed to return to his house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹⁸

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings on 15 March 2003 by the Banyamulengués of Jean-Pierre Bemba.

Applicant ■■■■ ■■■■

⁹⁷ ICC-01/05-01/08-796-Conf-Exp-Anx94.

⁹⁸ ICC-01/05-01/08-796-Conf-Exp-Anx94, pages 9 to 11, 18 to 24.

⁹⁹ ICC-01/05-01/08-796-Conf-Exp-Anx95.

Claim to victim status

The applicant states that on 25 October 2002 the Banyamulengués of Jean-Pierre Bemba attacked the [REDACTED] area shouting “Mai-Mai”. All the men, including the applicant, fled. The applicant left his old mother at his house to take care of his belongings together with his daughter. The Banyamulengués broke into the applicant’s house, raped his daughter, infecting her with HIV, and injured his mother. They looted the house and departed; the applicant lists and values his loss. He further claims that his daughter died as a result of her infection in 2008. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁰

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 sufficiently his relationship with his daughter who was allegedly raped as well as the latter’s identity. It also notes that the death certificate concerning the applicant’s daughter declares her death on [REDACTED] December 2002 whereas the applicant stated that she had died in 2008. The Chamber considers that such inconsistency might be due to inadvertent error.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the rape of his daughter

¹⁰⁰ ICC-01/05-01/08-796-Conf-Exp-Anx95, pages 9 to11.

and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 November 2002 the Banyamulengués arrived at his house situated in [REDACTED] [REDACTED]. They injured the applicant by hitting him with a rifle and repeatedly kicking and punching him. Subsequently, they looted the house. The applicant states that they have occupied the house for a period of four months, using it as their headquarters. Upon his return, on 15 March 2003, the applicant found that his house had been destroyed. He lists and values his loss. The applicant has suffered physical, psychological and material harm, the latter due to the loss of his belongings that he lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰²

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his

¹⁰¹ ICC-01/05-01/08-796-Conf-Exp-Anx98.

¹⁰² ICC-01/05-01/08-796-Conf-Exp-Anx98, pages 9 to 11 and 21.

belongings by the Banyamulengués of Jean-Pierre Bemba on 18 November 2002

[REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 the troops of Jean-Pierre Bemba entered his house, which is located in [REDACTED] asked him for money, tortured him and raped his wife who was pregnant. As a result of the attack, the applicant's wife had a miscarriage and died on 30 January 2003. The applicant further claims that his house was pillaged and destroyed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁴

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 documents demonstrate the identity of his alleged wife. In addition, in light of the application as a whole and the documents attached, the Chamber is also of the view that his relationship with his wife is sufficiently demonstrated at this stage of the proceeding.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the rape of his wife and

¹⁰³ ICC-01/05-01/08-796-Conf-Exp-Anx100.

¹⁰⁴ ICC-01/05-01/08-796-Conf-Exp-Anx100, pages 9 and 10.

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 March 2003 MLC soldiers of Jean-Pierre Bemba entered her house situated in [REDACTED]. They beat one of her children with their belts. The applicant tried to protect the child and she was taken by force and thrown on the bed and raped by nine soldiers. They then looted her house taking away all of her belongings, including her furniture and clothes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁶

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 finds that the applicant has provided sufficient evidence to establish *prima facie* that she was 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 on 15 March 2003 in [REDACTED].

¹⁰⁵ ICC-01/05-01/08-796-Conf-Exp-Anx102.

¹⁰⁶ ICC-01/05-01/08-796-Conf-Exp-Anx102, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002 [REDACTED] was under attack and her husband asked her to leave their house, located in [REDACTED] in order to seek refuge in [REDACTED]. The applicant stayed there, together with her children, from 25 to 28 October and, when she saw General Bozizé and his men withdrawing towards [REDACTED] she returned to her house. However, on 29 October 2002, the MLC soldiers of Jean-Pierre Bemba broke into her house and fourteen soldiers raped her vaginally and orally and also raped her son. The soldiers occupied her house and for a period of seven days they forced the applicant into sexual slavery. On 7 November 2002 the applicant and her son managed to escape. The soldiers occupied her house until 15 March and pillaged all of the applicant's belongings, which she lists and values, including her car. The applicant claims that her husband refuses to see her after her rape. 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 however underlines that the applicant has not provided any documents to demonstrate the identity and her relationship with her alleged son. Therefore, the harm alleged by the applicant as a result of the rape of her son will not be assessed by the Chamber.

¹⁰⁷ ICC-01/05-01/08-796-Conf-Exp-Anx103.

¹⁰⁸ ICC-01/05-01/08-796-Conf-Exp-Anx103, pages 9 to 11, 18.

Having examined the application 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 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 on an unspecified date as of 29 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in March 2003 he and his family were living in the village of [REDACTED] thirty kilometres away from Bangui. Towards mid-March the troops of Bemba arrived in [REDACTED] and asked the inhabitants of the village to indicate a certain forest track that led to the village of [REDACTED] situated by the banks of the Oubangui River. Bemba's soldiers kidnapped three young men to guide them towards their destination and transport their luggage. They passed through the field of the applicant's father, who was hiding in the bush; however, he was found and killed. As a result of the alleged events, the applicant claims to have suffered psychological harm.¹¹⁰

Analysis and conclusions

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

¹⁰⁹ ICC-01/05-01/08-796-Conf-Exp-Anx104.

¹¹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx104, pages 9 to 12.

The Chamber further notes that the applicant has provided sufficient documents to demonstrate his relationship with his father who was allegedly killed as well as the latter's identity.

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 has 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 in mid-March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the Banyamulengués came to the [REDACTED] area of Bangui and all the men fled in order to escape the violence. The applicant states that she was raped by thirteen soldiers who subsequently pillaged her house; she lists and values her loss. The applicant's elderly mother was also raped and died as a result of her injuries. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹²

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 and relationship with her alleged mother.

¹¹¹ ICC-01/05-01/08-796-Conf-Exp-Anx105.

¹¹² ICC-01/05-01/08-796-Conf-Exp-Anx105, pages 9 to 11.

Therefore, the harm alleged by the applicant as a result of the rape of her mother 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 she was 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 on 30 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, the MLC soldiers of Jean-Pierre Bemba attacked his house, located in the [REDACTED] area of Bangui. They addressed the applicant in Lingala and because he could not understand them, they beat him in a savage manner, until their chief who could speak English and some French, asked him for money and the applicant gave them the sum of 20,600 FCFA. They emptied his house and left; the applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁴

Analysis and conclusions

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

¹¹³ ICC-01/05-01/08-796-Conf-Exp-Anx106.

¹¹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx106, pages 9 to 11, 18.

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 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 on 30 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that in March 2003 her husband was robbed by a group of Banyamulengués in Bangui. He returned home and asked his family to prepare to flee in order to escape from the Banyamulengués. On the way to [REDACTED] they were stopped by the Banyamulengués, who spoke Lingala. They beat the applicant's husband to death and brutally raped her. She managed to escape and together with her children reached the "Médecins sans Frontières" who took care of them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁶

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 the relationship with her alleged

¹¹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx107.

¹¹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx107, pages 9 to 12.

husband. Therefore, the harm alleged by the applicant as a result of the murder of her alleged husband will not be assessed by the Chamber.

The Chamber notes that, although the applicant does not specify the day of March 2003 when the alleged events occurred, having examined the application as a whole, it 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in March 2003 in Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 Jean-Pierre Bemba's soldiers attacked and looted her house, located in [REDACTED]. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁸

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 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 the pillage of her

¹¹⁷ ICC-01/05-01/08-796-Conf-Exp-Anx109.

¹¹⁸ ICC-01/05-01/08-796-Conf-Exp-Anx109, pages 9 to 11.

belongings by the Banyamulengués of Jean-Pierre Bemba on 30 October 2002 in

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Applicant ██████

Claim to victim status

The applicant states that in October 2002 four Banyamulengués speaking Lingala came to her house, located in ██████. She claims that they beat her, but did not touch her children. She states that they looted her house, including all her furniture and her money. She mentions that as a result of her injuries she still suffers from pain in her stomach. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁰

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 October 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, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

Having examined the application as a whole, the Chamber finds that the applicant has provided sufficient evidence to establish *prima facie* that she is a

¹¹⁹ ICC-01/05-01/08-796-Conf-Exp-Anx110.

¹²⁰ ICC-01/05-01/08-796-Conf-Exp-Anx110, 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 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 October 2002 the Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED]. He claims that they asked him if he was a soldier and when he replied that he was an artisan, the men started beating him with the edge of their rifles and kick him with their boots. They stole his briefcase which contained diamonds, gold as well as his administrative documents. The applicant further claims that they looted his house; he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²²

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his

¹²¹ ICC-01/05-01/08-796-Conf-Exp-Anx111.

¹²² ICC-01/05-01/08-796-Conf-Exp-Anx111, pages 9 to 11, 19.

belongings by the Banyamulengués of Jean-Pierre Bemba on 27 October 2002 in

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Applicant ██████████

Claim to victim status

The applicant states that on 30 October 2002, when the MLC soldiers of Jean-Pierre Bemba returned to her ██████████ all the men fled to the hills. The applicant was at home together with her 14 year old daughter, when the MLC soldiers came to their house and asked her, in Lingala, where her husband was. After the applicant explained that he had run away to escape the fighting, the soldiers raped both the applicant and her daughter. She further state that they pillaged their house taking all their furniture, construction material as well as the clothes of her husband and children. The applicant lists and values her loss. She further states that they forced her to leave the house. 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 however underlines that the applicant has not provided any documents to demonstrate the identity of and the relationship with her alleged daughter. Therefore, the harm alleged by the applicant as a result of the rape of alleged daughter will not be assessed by the Chamber.

¹²³ ICC-01/05-01/08-796-Conf-Exp-Anx112.

¹²⁴ ICC-01/05-01/08-796-Conf-Exp-Anx112, pages 9 to 11, 18.

Having examined the application 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 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 on 30 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 she visited her older sister in the [REDACTED] area of Bangui, together with her daughter. During their visit, the MLC soldiers of Jean-Pierre Bemba forced themselves into the house and raped the applicant and her older sister. The applicant states that after the rape her husband abandoned her. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹²⁶

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 the relationship with her alleged sister. Therefore, the harm alleged by the applicant as a result of the rape of her alleged sister will not be assessed by the Chamber.

¹²⁵ ICC-01/05-01/08-796-Conf-Exp-Anx113.

¹²⁶ ICC-01/05-01/08-796-Conf-Exp-Anx113, pages 9 to 11, 18.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba on 30 October 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that from 14 to 21 March 2003 the soldiers of Jean-Pierre Bemba came to [REDACTED] and pillaged and destroyed her estate and her plantation. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁸

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (14-21 March 2003) falls 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. Accordingly, 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

¹²⁷ ICC-01/05-01/08-796-Conf-Exp-Anx115.

¹²⁸ ICC-01/05-01/08-796-Conf-Exp-Anx115, pages 9 to 11.

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 mid-March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002 he was working and living in [REDACTED] together with his family. On an unspecified date in October 2002, upon his return from work, he found that his house had been completely looted and his car was missing. He found his family at his parents' house, in the [REDACTED] area, and he was informed that Bemba's troops had pillaged their family home. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁰

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to October 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, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

¹²⁹ ICC-01/05-01/08-796-Conf-Exp-Anx117.

¹³⁰ ICC-01/05-01/08-796-Conf-Exp-Anx117, pages 9 to 11.

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 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 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002, he was fifteen years old and he was living together with his mother in the house of a general in [REDACTED]. On 29 October 2002 the MLC soldiers of Jean-Pierre Bemba, who were speaking Lingala, invaded the house and asked the applicant in French to indicate the name of the owner of the house. The applicant responded that it belonged to a certain general who was close to President Patassé. The soldiers started to fire in the air. They raped the applicant's mother and hit the applicant. They then raped him anally. This lasted for more than four hours. In the evening, the female Banyamulengués sexually assaulted him. The Banyamulengués occupied the house until 15 March 2003. On an unspecified date during this period, the applicant managed to escape together with his mother. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³²

Analysis and conclusions

¹³¹ ICC-01/05-01/08-796-Conf-Exp-Anx120.

¹³² ICC-01/05-01/08-796-Conf-Exp-Anx120, pages 9 to 11, 18.

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 the relationship with his alleged mother. Therefore, the harm alleged by the applicant as a result of the rape of his mother 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 has suffered personal harm as a result of crimes confirmed against the accused, namely his rape and the pillage of their belongings by the Banyamulengués of Jean-Pierre Bemba as of 29 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that following the *coup d'état* of 25 October 2002 the intelligence services secretly informed him that his name had been included on a list of alleged supporters of Bozizé's revolution. On 1 November 2002 a Pastor called the applicant and advised him to leave his house in order to save himself. The applicant then took his five sons and fled. On the same evening, a group of MLC soldiers of Jean-Pierre Bemba circled his house, located in the [REDACTED] district of Bangui, heavily knocked on the door and started to fire in the air. The applicant's wife opened the door. The soldiers were accompanied by a soldier of the Presidential Guard who was well acquainted with the applicant. When they

¹³³ ICC-01/05-01/08-796-Conf-Exp-Anx121.

entered the house, they asked his wife about the applicant's whereabouts. She informed them that he did not sleep in the house. His wife was then raped by eleven soldiers who subsequently looted the house. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³⁴

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 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 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 on 1 November 2002 in Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the MLC soldiers of Jean-Pierre Bemba invaded the area of the [REDACTED] [REDACTED] in [REDACTED] where her house was

¹³⁴ ICC-01/05-01/08-796-Conf-Exp-Anx121, pages 9 to 11, 18.

¹³⁵ ICC-01/05-01/08-796-Conf-Exp-Anx137.

located. They entered her house and raped her in front of her children. Then, they looted and destroyed the house. The applicant together with her children fled to [REDACTED] where they still reside. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³⁶

Analysis and conclusion

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

Having examined the application 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 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 on 30 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 11 November 2002 a shell fired from the [REDACTED] of Bangui injured him. He was seriously injured and was transferred to [REDACTED] in the DRC where he had to stay until the Banyamulengués left Bangui. He was then transferred to the General Hospital of Bangui where he was operated. As a result of his injuries, he has remained disabled and cannot use his arm. He also claims that he lost his car which, according to the members of his Church, had

¹³⁶ ICC-01/05-01/08-796-Conf-Exp-Anx137, page 9.

¹³⁷ ICC-01/05-01/08-796-Conf-Exp-Anx138.

been stolen by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹³⁸

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his car by the Banyamulengués of Jean-Pierre Bemba.

Applications [REDACTED] and [REDACTED]

The Chamber notes that the Defence argued that three applicants ([REDACTED] [REDACTED] and [REDACTED]) agreed on their accounts of the events on the ground that [REDACTED] gives the exact same account than [REDACTED]. It adds that the latter did not mention the fact that she was accompanied at the time of the alleged events. The Defence further contends that it seems that [REDACTED] is the sister of either [REDACTED] or [REDACTED] however it underlines that the date of the alleged events differs from [REDACTED] to [REDACTED] and [REDACTED]. For the foregoing reasons it requests the Chamber to reject the three applications for participation.

The Chamber, having examined the three applications for participation, is of the view that the mere fact that the accounts are really similar does not preclude the possibility that different persons might have suffered of the same crimes at a

¹³⁸ ICC-01/05-01/08-796-Conf-Exp-Anx138, page 9 to 11.

same location and day. More specifically, the Chamber notes that although [REDACTED] does not mention in her first answer to Section D of the application¹³⁹ from that she was accompanied, she however mentions the name of [REDACTED] as another victim of the alleged event (answer to the third question of Section D).¹⁴⁰ The Chamber further notes that, in light of the documents provided, [REDACTED] appears to be [REDACTED]'s sister and that she indeed gives a different date at which the alleged events occurred. In this regard, the Chamber notes that the difference is of two days and that such alleged discrepancy between [REDACTED] on the one hand and [REDACTED] and [REDACTED] on the other hand might well be due to a difficult recollection of the exact date of events which allegedly occurred almost seven years ago.

The Chamber is therefore not convinced about the Defence's arguments that [REDACTED] and [REDACTED] agreed on the accounts to be given in their applications for participation. Its assessment of these applications is provided below:

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 she was intercepted by three Banyamulengués, at the [REDACTED] area of Bangui, and she was raped and robbed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴²

¹³⁹ ICC-01/05-01/08-796-Conf-Exp-Anx139, page 9.

¹⁴⁰ ICC-01/05-01/08-796-Conf-Exp-Anx139, page 10.

¹⁴¹ ICC-01/05-01/08-796-Conf-Exp-Anx139.

¹⁴² ICC-01/05-01/08-796-Conf-Exp-Anx139, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 she was raped and robbed by three Banyamulengués at the [REDACTED] area of Bangui. 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.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage

¹⁴³ ICC-01/05-01/08-796-Conf-Exp-Anx140.

¹⁴⁴ ICC-01/05-01/08-796-Conf-Exp-Anx140, page 9.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 November 2002 she went to the [REDACTED] area of Bangui together with her eleven year old sister, to collect water, and that they were intercepted by a group of fifteen armed Banyamulengués who raped them, followed them home and pillaged their house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁶

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 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 25 November 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

¹⁴⁵ ICC-01/05-01/08-796-Conf-Exp-Anx141.

¹⁴⁶ ICC-01/05-01/08-796-Conf-Exp-Anx141, page 9.

¹⁴⁷ ICC-01/05-01/08-796-Conf-Exp-Anx142.

Claim to victim status

The applicant states that in November 2002 she used to live together with her uncle in the [REDACTED] area. She claims that on 22 or 23 November 2002 the Banyamulengués broke into their house and she was raped by five men, who subsequently pillaged the house. She also states that as a result of the rape she was infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁸

Analysis and conclusions

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

Having examined the application 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 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 on 22 or 23 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that towards the end of October and in the beginning of November 2002 the Banyamulengués of Jean-Pierre Bemba set their camp close to [REDACTED] nearby his house. He claims that on various occasions they came to his house and pillaged all his belongings, including beds,

¹⁴⁸ ICC-01/05-01/08-796-Conf-Exp-Anx142, page 9.

¹⁴⁹ ICC-01/05-01/08-796-Conf-Exp-Anx144.

heaters, doors and other items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵⁰

Analysis and conclusions

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

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 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 October and November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in February 2003 the Banyamulengués invaded the [REDACTED] area of Bangui. His daughter was shot and killed and his house was pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵²

Analysis and conclusions

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

¹⁵⁰ ICC-01/05-01/08-796-Conf-Exp-Anx144, page 9.

¹⁵¹ ICC-01/05-01/08-796-Conf-Exp-Anx145.

¹⁵² ICC-01/05-01/08-796-Conf-Exp-Anx145, page 9.

The Chamber further notes that the applicant has provided sufficient documents to demonstrate his relationship with his daughter who was allegedly killed as well as the latter's identity.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his daughter and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in February 2003 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 the Banyamulengués came to the [REDACTED] area of Bangui, where her house was located. At the time of the events, the applicant was at home together with her twelve year old daughter. She claims that when she went out of the house to see whether the area had been liberated, she was attacked by the Banyamulengués who raped both her and her daughter and pillaged their house. The Banyamulengués occupied her house for one day. The applicant contends that her daughter died in December 2002 as a result of her injuries. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁴

Analysis and conclusions

¹⁵³ ICC-01/05-01/08-796-Conf-Exp-Anx146.

¹⁵⁴ ICC-01/05-01/08-796-Conf-Exp-Anx146, page 9.

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

The Chamber further notes that the applicant has provided sufficient documents to demonstrate her relationship with her daughter who was allegedly raped as well as the latter's identity.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape, the rape of her daughter and the pillage of their belongings by the Banyamulengués of Jean-Pierre Bemba in November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date towards the end of 2002 and the beginning of 2003 the Banyamulengués arrived in the [REDACTED] area of Bangui. They broke into her house, pillaged her belongings, and ordered her to carry all of her belongings to their base. She claims that after the event, she was left in the bush and she fled to [REDACTED] where she stayed for three weeks. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁶

Analysis and conclusions

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

¹⁵⁵ ICC-01/05-01/08-796-Conf-Exp-Anx148.

¹⁵⁶ ICC-01/05-01/08-796-Conf-Exp-Anx148, page 9.

Having examined the application 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 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 on an unspecified date as of the end of 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 she and her three daughters were raped by the Banyamulengués. She alleges that, in the following days, the Banyamulengués systematically pillaged her house, located in the [REDACTED] area of Bangui. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁸

Analysis and conclusions

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

The Chamber however underlines that the applicant has not provided any documents to demonstrate the identity of and the relationship with her alleged three daughters. Therefore, the harm alleged by the applicant as a result of the alleged rape of her three daughters 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 she is a

¹⁵⁷ ICC-01/05-01/08-796-Conf-Exp-Anx154.

¹⁵⁸ ICC-01/05-01/08-796-Conf-Exp-Anx154, pages 9 to 11, 22 to 23.

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 as of 23 November 2003 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in November 2002 the Banyamulengués invaded [REDACTED]. She alleges that she was raped by many soldiers who then forced the applicant and her husband to carry various items taken from their home to the river. She says that she managed to escape and returned to her house that had been completely pillaged. She further states that her husband, who was last seen during his captivity by the Banyamulengués, is still missing. The applicant remains certain of his death and together with her husband's parents have held a funeral ceremony for him. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁰

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 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

¹⁵⁹ ICC-01/05-01/08-796-Conf-Exp-Anx156.

¹⁶⁰ ICC-01/05-01/08-796-Conf-Exp-Anx156, pages 9 to 11.

result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in November 2002 his farm and house, located in the [REDACTED] area, were pillaged by the Banyamulengués. 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.

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 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 November 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

¹⁶¹ ICC-01/05-01/08-796-Conf-Exp-Anx158.

¹⁶² ICC-01/05-01/08-796-Conf-Exp-Anx158, pages 9 to 11.

¹⁶³ ICC-01/05-01/08-796-Conf-Exp-Anx160.

The applicant states that on 23 November 2002 the entire [REDACTED] area of Bangui, including his house, was under attack and pillaged by Jean-Pierre Bemba's troops. He also states that one of his nieces, who was nineteen years old at the time, was raped and infected with HIV. 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.

The Chamber however underlines that the applicant has not provided any document to demonstrate the identity of and the relationship with his alleged niece. Therefore, the harm alleged by the applicant as a result of the alleged rape of his niece 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 has 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 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in 2002 the Banyamulengués arrived in the [REDACTED] area of Bangui. The applicant and her children wanted to

¹⁶⁴ ICC-01/05-01/08-796-Conf-Exp-Anx160, pages 9 and 20.

¹⁶⁵ ICC-01/05-01/08-796-Conf-Exp-Anx161.

flee to escape the violence but hesitated as her husband and son were members of the FACA militia. She alleges that the Banyamulengués broke into her house, raped her and looted all her belongings. She claims that she lives isolated due to the stigmatisation by her community. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁶

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 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, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

¹⁶⁶ ICC-01/05-01/08-796-Conf-Exp-Anx161, pages 9 to 11.

¹⁶⁷ ICC-01/05-01/08-796-Conf-Exp-Anx162.

The applicant states that in November 2002 the Banyamulengués attacked and pillaged her house, located in the [REDACTED] area of Bangui. She also states that, following the murder of her son, she was taken hostage to the DRC and was used as a sexual slave. On her return to Bangui she found her property looted and suffered stigmatisation by her own community. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁸

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 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 the pillage of her property by the Banyamulengués of Jean-Pierre Bemba in November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 December 2002 she was travelling to the city of [REDACTED] and Bangui to carry out her trading activities. She was travelling in a lorry together with others. When they reached the village of [REDACTED] on the road to [REDACTED] they were stopped by the Banyamulengués of Jean-Pierre

¹⁶⁸ ICC-01/05-01/08-796-Conf-Exp-Anx162, pages 9 to 11.

¹⁶⁹ ICC-01/05-01/08-796-Conf-Exp-Anx170.

Bemba who spoke Lingala and wore military uniforms. She alleges that they were forced to get out of the lorry and the Banyamulengués started to beat everyone. Three of them compelled the applicant to undress and raped her. She also says that they stole everything she had with her and abandoned her to find her own way to Bangui. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁰

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 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 23 December 2002 in the village of [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2002 he was kidnapped by the Banyamulengués who tortured him and forced him to carry stolen goods to the banks of the Oubangui River. Following two days of captivity, he managed to escape and returned to his house, situated in the [REDACTED] area of Bangui. Upon his return, he found that his house had been looted. As a result of the alleged events,

¹⁷⁰ ICC-01/05-01/08-796-Conf-Exp-Anx170, pages 9 to 13.

¹⁷¹ ICC-01/05-01/08-796-Conf-Exp-Anx176.

the applicant claims to have suffered physical, psychological and material harm.¹⁷²

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 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings in November 2002 by the Banyamulengués of Jean-Pierre Bemba in November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 the Banyamulengués arrived in Bangui and started to pillage the city. He claims that upon his return from work, he fell into the hands of the Banyamulengués in the [REDACTED] area of Bangui. He alleges that they forced him to carry their luggage to the river. He claims that his seven year old son tried to follow him and one soldier hit him with his rifle and killed him. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁴

Analysis and conclusions

¹⁷² ICC-01/05-01/08-796-Conf-Exp-Anx176, pages 9 to 11.

¹⁷³ ICC-01/05-01/08-796-Conf-Exp-Anx178.

¹⁷⁴ ICC-01/05-01/08-796-Conf-Exp-Anx178, pages 9 to 11.

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

The Chamber further notes that the applicant has provided sufficient documents to demonstrate his relationship with his son who was allegedly killed as well as the latter's identity.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his son and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on an unspecified date towards the end of 2002, the Banyamulengués arrived at the [REDACTED] area, entered his house and looted his belongings, which he lists. Both the applicant and his wife managed to flee. The applicant stayed in the DRC for two months. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁵

Analysis and conclusions

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

¹⁷⁵ ICC-01/05-01/08-796-Conf-Exp-Anx183.

¹⁷⁶ ICC-01/05-01/08-796-Conf-Exp-Anx183, pages 9 to 11.

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 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 towards the end of 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 November 2002 the Banyamulengués invaded the house that the applicant's mother was renting, located on the road to [REDACTED]. The applicant was raped by two Banyamulengués who then looted the house taking away a number of items that she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁸

Analysis and conclusions

The Chamber considers that the document provided demonstrates the identity of the applicant.

Having examined the application 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 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 on 13 November 2002 on the road to [REDACTED].

¹⁷⁷ ICC-01/05-01/08-796-Conf-Exp-Anx185.

¹⁷⁸ ICC-01/05-01/08-796-Conf-Exp-Anx185, page 9.

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2002 his house, located in the [REDACTED] area of Bangui, was systematically looted by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁸⁰

Analysis and conclusions

The Chamber considers that the document provided demonstrates the identity of the applicant.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings in November 2002 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 she was visiting her husband's mortuary in the [REDACTED] area of Bangui together with her twenty one year old daughter when the Banyamulengués invaded the place and raped both of them.

¹⁷⁹ ICC-01/05-01/08-796-Conf-Exp-Anx186.

¹⁸⁰ ICC-01/05-01/08-796-Conf-Exp-Anx186, pages 9 to 11.

¹⁸¹ ICC-01/05-01/08-796-Conf-Exp-Anx187.

She states that her daughter was infected with HIV and died one week after the event. She further asserts that the Banyamulengués have stolen their car. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber is mindful of the defence's argument alleging an inconsistency with regard to the dates appearing on the applicant's daughter's death certificate inasmuch as the document was apparently established in the year preceding the year of occurrence of the actual death. However, the Chamber considers that such inconsistency might be due to an inadvertent error occurred during the signature of the document and does not as such undermine the credibility of the applicant.

The Chamber further notes that the applicant has provided sufficient documents to demonstrate her relationship with her daughter who was allegedly raped as well as the latter's identity.

Having examined the application 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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape, the rape of her daughter and the pillage of their car by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

¹⁸² ICC-01/05-01/08-796-Conf-Exp-Anx187, page 9.

¹⁸³ ICC-01/05-01/08-796-Conf-Exp-Anx188.

Claim to victim status

The applicant states that in December 2002 the Banyamulengués systematically pillaged his house situated in the [REDACTED] area of Bangui as well as his farm situated in [REDACTED]. The applicant had fled at the time to an unspecified location approximately [REDACTED] kilometres away from Bangui together with his family. He returned approximately a month afterwards and found that his house had been looted. 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 document provided demonstrates the identity of the applicant.

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 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 December 2002 in the [REDACTED] area of Bangui and [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in November 2002 his house situated the [REDACTED] area of Bangui was looted and destroyed by the

¹⁸⁴ ICC-01/05-01/08-796-Conf-Exp-Anx188, pages 9 to 11.

¹⁸⁵ ICC-01/05-01/08-796-Conf-Exp-Anx189.

Banyamulengués. 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 document provided demonstrates the identity of the applicant.

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 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 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date in November 2002 his shop, located at the [REDACTED] market of Bangui was looted by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁸

Analysis and conclusions

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

¹⁸⁶ ICC-01/05-01/08-796-Conf-Exp-Anx189, page 9.

¹⁸⁷ ICC-01/05-01/08-796-Conf-Exp-Anx190.

¹⁸⁸ ICC-01/05-01/08-796-Conf-Exp-Anx190, pages 9 to 11.

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 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 November 2002 in the [REDACTED] market of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that during the first attacks of the Banyamulengués in [REDACTED] that took place in 2002, she was asked by her father to return to their house to collect a document and money. There she realized that their house was being occupied by the Banyamulengués and she states that they raped her one after the other. At the material time, she was fifteen years old. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹⁰

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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

¹⁸⁹ ICC-01/05-01/08-796-Conf-Exp-Anx191.

¹⁹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx191, pages 9 to 11.

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.

Accordingly, 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 pillage of her belongings in 2002 by the Banyamulengués of Jean-Pierre Bemba in 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on an unspecified date towards the beginning of 2003, the Banyamulengués invaded the applicant's area of [REDACTED] in Bangui, and all the residents fled. He contends that he was injured by a bullet and that his house was looted. The applicant together with his family fled to [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁹²

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 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 has suffered personal harm as a

¹⁹¹ ICC-01/05-01/08-796-Conf-Exp-Anx192.

¹⁹² ICC-01/05-01/08-796-Conf-Exp-Anx192, pages 9 to 11, 19.

result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba at the beginning of 2003 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002 the Banyamulengués invaded the [REDACTED] area of [REDACTED] where her house was situated. The applicant was raped by nine soldiers and her house and bar were pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹⁴

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 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 29 October 2002 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

¹⁹³ ICC-01/05-01/08-796-Conf-Exp-Anx193.

¹⁹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx193, pages 9 to 11, 18, 23, 24.

¹⁹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx194.

Claim to victim status

The applicant states that on 30 October 2002 the MLC soldiers of Jean-Pierre Bemba invaded [REDACTED] following intelligence that troops of Bozizé were situated there. The MLC soldiers entered her house and asked for money. They beat the applicant and her son and pillaged her house. They then fired a rocket onto the house which was thus burned. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹⁶

Analysis and conclusions

Although the Chamber notes a slight inconsistency with regard to the date of birth as appearing on the application form and on the birth certificate, the Chamber considers that the documents provided taken as a whole demonstrate sufficiently the identity of the applicant.

Having examined the application 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 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 on 30 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

¹⁹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx194, pages 9 to 11, 18.

¹⁹⁷ ICC-01/05-01/08-796-Conf-Exp-Anx195.

The applicant states in the application form that the alleged events occurred on 30 October 2002 in the [REDACTED] area. In a separate declaration attached to his application form, the applicant states that on 20 April 2002, the MLC soldiers of Jean-Pierre Bemba invaded the [REDACTED] area where his house was situated. They tortured the applicant and pillaged his house and farm. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁹⁸

Analysis and conclusions

The Chamber considers that the document provided demonstrates the identity of the applicant.

In light of the inconsistency as to the dates of the alleged events (30 October 2002 and 20 April 2002), the Chamber is not *prima facie* satisfied that the applicant has suffered harm as a result of the crimes confirmed against the accused. Accordingly, this application for participation is refused. This conclusion can be revisited if the evidence in the trial in due course indicates a different conclusion.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2003 her partner was intercepted by the MLC militia in the village of [REDACTED] approximately [REDACTED] kilometres away from Bangui, on the road to [REDACTED]. They accused him of being a rebel and killed him. As a result of the alleged event, the applicant claims to have suffered psychological and material harm.²⁰⁰

¹⁹⁸ ICC-01/05-01/08-796-Conf-Exp-Anx195, pages 9, 10, 18.

¹⁹⁹ ICC-01/05-01/08-796-Conf-Exp-Anx196.

²⁰⁰ ICC-01/05-01/08-796-Conf-Exp-Anx196, pages 9 to 11.

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. In addition, the Chamber takes note of the relevant death certificate stating that the person concerned died on 30 December 2003. The Chamber observes that the applicant's partner was allegedly killed in either November or December 2003 and, as such, in a period falling outside the temporal scope of the charges confirmed against the accused. Accordingly, the Chamber concludes that, *prima facie*, the harm suffered by this applicant does not relate to a crime included in the charges against the accused and her application to participate in the proceedings is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 16 March 2003 he was robbed by the Banyamulengués in the [REDACTED] area. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁰²

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 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 has suffered personal harm as a

²⁰¹ ICC-01/05-01/08-796-Conf-Exp-Anx197.

²⁰² ICC-01/05-01/08-796-Conf-Exp-Anx197, 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 mid-March 2003 in the [REDACTED] area.

o Third transmission - ICC-01/05-01/08-900-Conf-Exp-Anx1 to Anx218

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 November 2002, the Banyamulengués arrived at her parents' place of residence in the [REDACTED] area of [REDACTED]. She states that she was with her younger brother and her grandmother while her father was away. She alleges that she was held by two Banyamulengués and raped by a third one. Covered in blood, she claims to have later been rescued by a neighbour and ran away to [REDACTED] village. She further says that when she came back to the house one month later, she found that the property was looted. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰⁴

Analysis and conclusions

The Chamber considers that the 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

²⁰³ ICC-01/05-01/08-900-Conf-Exp-Anx1, 24 September 2010.VPRS, Third report to Trial Chamber III on applications to participate in the proceedings; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 2 to 3.

²⁰⁴ ICC-01/05-01/08-900-Conf-Exp-Anx1, pages 9 to 11, 21.

that she suffered personal harm as a result of crimes confirmed against the accused, notably her rape by the Banyamulengués of Jean-Pierre Bemba on 13 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 December 2002, the Banyamulengués invaded [REDACTED] and that five of them raped her in turns using arms to threat her. In addition, she alleges that they looted her house and belongings which are listed and valued. As a result of the alleged events, she claims to have suffered physical and material harm.²⁰⁶

Analysis and conclusions

The Chamber considers that the 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 27 December 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

²⁰⁵ ICC-01/05-01/08-900-Conf-Exp-Anx2; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 4 to 5.

²⁰⁶ ICC-01/05-01/08-900-Conf-Exp-Anx2, pages 9 to 11, 19.

²⁰⁷ ICC-01/05-01/08-900-Conf-Exp-Anx3; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 6 to 7.

The applicant claims that on 13 November 2002, when the Banyamulengués invaded the [REDACTED] area of [REDACTED] she, her partner and her children fled. She states that when she came back to her area, three months later, she found her house looted. She attaches to her application a photograph of her house and a list of the looted belongings. She further says that her neighbour reported to her that the Banyamulengués had carried out this pillage. The applicant claims that her partner left her and their children alone as he has not returned to [REDACTED]. As a result of these events, she claims to have suffered material harm.²⁰⁸

Analysis and conclusions

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

The Chamber notes that the applicant is the sister of applicant [REDACTED] and that they both provided the same list of looted items. In this respect, the Chamber clarifies that having lived together in the same house it is reasonable to believe that both had personal belongings in this house.

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 the house, only to the extent that her belongings are concerned, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] between 13 November 2002 and the date of their return three months later.

Applicant [REDACTED]

²⁰⁸ ICC-01/05-01/08-900-Conf-Exp-Anx3, pages 9 to 11, 18, 20, 21.

²⁰⁹ ICC-01/05-01/08-900-Conf-Exp-Anx4; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 8 to 9.

Claim to victim status

The applicant claims that on 10 November 2002, the Banyamulengués entered her place of residence located in the [REDACTED] area of [REDACTED]. She states that when they threatened to rape her, his partner tried to oppose but was beaten up and neutralized by the Banyamulengués. She alleges that three of them raped her in front of her children. She further says that they drove her and her family out of their house and that when she came back, around one month later, she found her home looted. Her looted belongings are listed and valued. As a result of these alleged events, the applicant claims to have suffered physical, psychological and material harm.²¹⁰

Analysis and conclusions

The Chamber considers that the 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 on 10 November 2002 and the pillage of her belongings between 10 November 2002 and the date of her return one month later by the Banyamulengués of Jean-Pierre Bemba at the [REDACTED] area of [REDACTED].

Applicant [REDACTED]

Claim to victim status

²¹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx4, pages 9 to 11, 18.

²¹¹ ICC-01/05-01/08-900-Conf-Exp-Anx5; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 10 to 11.

The applicant claims that when the Banyamulengués approached her area in [REDACTED] she left her home with her children and while pregnant in order to seek refuge in [REDACTED] and then [REDACTED]. She states that when she came back home two weeks later, she found that her house had been occupied by the Banyamulengués. She alleges that her house and her shop were looted and she attaches to her application a *Procès verbal* dated 5 November 2002 which lists the looted belongings. As a result of the alleged events, the applicant claims to have suffered material harm.²¹²

Analysis and conclusions

The Chamber considers that the 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 the end of October and the beginning of November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 16 November 2002, the Banyamulengués approached her place of residence in the [REDACTED] area within [REDACTED]. She states that she ran away with her brother and seven sisters to [REDACTED] and later to [REDACTED].

²¹² ICC-01/05-01/08-900-Conf-Exp-Anx5, pages 9 to 11, 18.

²¹³ ICC-01/05-01/08-900-Conf-Exp-Anx6; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 12 to 13.

in Bangui. She alleges that when they came back, three months later, they found that their house was looted. She says that her neighbour reported to her that it was the Banyamulengués who had looted the house. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁴

Analysis and conclusions

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

The Chamber notes that the applicant is the sister of [REDACTED]s and that they both provided the same list of looted items. In this respect, the Chamber clarifies that having lived together in the same house, it is reasonable to believe that both had personal belongings in this house.

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 the house, only to the extent that her belongings are concerned, by the Banyamulengués of Jean-Pierre Bemba between on or around 16 November 2002 and the day of their return three months later.

Applicant [REDACTED]

Claim to victim status

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

²¹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx6, pages 9 to 11, 18.

²¹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx13; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 26 to 27.

It is claimed that on 4 November 2002, MLC soldiers shot the applicant, near Bangui, as he was coming home from the bush where he had taken his cattle. As they did not kill him with the gunshot, they beat him to death with their weapons. They also killed his cattle.

The person acting on the applicant's behalf also claims that, in a separate event, on 29 October 2002, when the MLC besieged [REDACTED] she was raped at her home in [REDACTED] by 11 Banyamulengués and her home was pillaged. As a result of these events she was abandoned by her husband. The person acting on the applicant's behalf claims physical, psychological and material harm as a result of her brother's death, her rape and the pillage of her belongings.²¹⁶

Analysis and conclusions

The Chamber recalls that when an application for participation is introduced on behalf of a deceased applicant, sufficient information has to be provided as to the identity of, and the kinship between, the dead applicant and the person acting on his behalf. In the present case, while the person acting on behalf of the deceased applicant has provided documents sufficiently demonstrating her identity, she did not provide sufficient documents to demonstrate the identity of the deceased applicant. In the application form she explained that she has no death certificate or other identity document of the applicant to provide. Instead, she submits a statement signed by a witness and established in the presence of staff of the OPCV to prove the identity of her brother and their kinship. However, the Chamber underlines that in those instances where it is not possible for a victim applicant to acquire or produce any of the listed documents, the Chamber will consider a statement signed by two witnesses attesting of the identity of the

²¹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx13, pages 9 to 11, 19, 20.

applicant and such statement shall be accompanied by proof of identity of the two witnesses.

Therefore, as only the statement and proof of identity of one witness is appended to the application form, the application made on behalf of the deceased applicant is refused for lack of sufficient proof of identity.

However, it clearly transpires from the application form and the documents appended thereto that the person acting on behalf of the deceased applicant is also acting on her own behalf. As she has provided documents sufficiently demonstrating her identity, the Chamber considers her application as being complete and will assess her claim.

The Chamber considers that, overall, the person acting on behalf of the deceased applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in November 2002 in

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, the Banyamulengués came to her plot in [REDACTED]. She states that they found her husband, who underwent surgery and was confined to his bed, and killed him. She adds that they beat her and they hit her feet with their weapons until she became paralysed. The applicant claims that they also pillaged all her belongings and her money and she lists and values

²¹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx14; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 28 to 29.

her loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.²¹⁸

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 the required documents to demonstrate the identity of and relationship with her alleged husband. Therefore, the harm alleged by the applicant as a result of the killing of her husband will not be assessed by the Chamber.

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 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, the MLC forces came to his house in [REDACTED] Bangui and asked for money. He states that as he replied that he did not have any, they tortured and beat him, threatening him with their weapons. He further alleges that they entered into his house and looted his furniture and goods. The applicant also claims that at the same moment they entered his bar and looted it including his money. He provides a list of the

²¹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx14, pages 9 to 11, 21.

²¹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx15; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 30 to 31.

pillaged belonging which he also values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁰

Analysis and conclusions

The Chamber considers that the 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 2 November 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on an unspecified date in October 2002, in [REDACTED] the MLC troops came to her house and started firing bullets. She alleges that her grandson, aged 25 days, died from fear of the detonations. She further says that she was taken with her children out of the house and that they beat her with their weapons. She states that they then pillaged furniture and other goods in her house, as well as money, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²²

Analysis and conclusions

²²⁰ ICC-01/05-01/08-900-Conf-Exp-Anx15, pages 9 to 11, 18, 20.

²²¹ ICC-01/05-01/08-900-Conf-Exp-Anx16; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 32 to 33.

²²² ICC-01/05-01/08-900-Conf-Exp-Anx16, pages 9 to 11, 19.

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 October 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, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant. The Chamber is of the view that despite this imprecision and in light of the overall application, 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 in October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, in [REDACTED] [REDACTED] the troops of Jean-Pierre Bemba came to her neighbourhood and to her concession. She adds that ten men raped her and looted all the furniture and goods of the house, including the money she kept in the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁴

Analysis and conclusions

²²³ ICC-01/05-01/08-900-Conf-Exp-Anx17; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 34 to 35.

²²⁴ ICC-01/05-01/08-900-Conf-Exp-Anx17, pages 9 to 11, 20.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, in [REDACTED] the Banyamulengués came to her house where she was staying with her father and her two sisters. She states that her father who came back from Congo after having sold cattle was brutalized and that they stole from him the money he had. She also says that they then chased him from the concession. The applicant further alleges that the Banyamulengués threw her on the floor, wounding her, and then raped her and beat her with their belts. She asserts that the rape caused the end of her pregnancy, that she still has scars and wounds from the violence and that she is now stigmatized. In addition, she states that they then pillaged the house including her belongings which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁶

Analysis and conclusions

²²⁵ ICC-01/05-01/08-900-Conf-Exp-Anx18; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 36 to 37.

²²⁶ ICC-01/05-01/08-900-Conf-Exp-Anx18, pages 9 to 11, 19.

The Chamber considers that the 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, notably her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 14 February 2003, at a checkpoint around [REDACTED] she was arrested along with other people by soldiers speaking Lingala whom she identified as being the Banyamulengués of Mr Bemba. She alleges that the Banyamulengués beat and pillaged the truck passengers and raped the women. She claims that she was raped and that they also pillaged her belongings. She states that because she feared that her husband would divorce her, she hid the story from him. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁸

Analysis and conclusions

The Chamber considers that the 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

²²⁷ ICC-01/05-01/08-900-Conf-Exp-Anx20; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 40 to 41.

²²⁸ ICC-01/05-01/08-900-Conf-Exp-Anx20, pages 9 to 11.

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 14 February 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, ten men arrived at his place of residency in [REDACTED] while his wife and children had been away in the fields. He states that among this group of men, nine were speaking Lingala, whom he indentified as being the Banyamulengués, and one Sango. He alleges that when he hesitated to give them access to his livestock, they beat him. He says that he finally managed to escape but that when he returned to his house one week later he found his livestock and property looted and his house destroyed. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²³⁰

Analysis and conclusions

The Chamber considers that the 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 30 October 2002 in [REDACTED]

²²⁹ ICC-01/05-01/08-900-Conf-Exp-Anx21; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 42 to 43.

²³⁰ ICC-01/05-01/08-900-Conf-Exp-Anx21, pages 9 to 11, 20.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 October 2002 he was in Bangui, after coming back from a business trip and carrying diamonds. He alleges that six soldiers of Jean-Pierre Bemba, speaking Lingala, came to his place of residence at [REDACTED] and asked him for money. He states that they took his money and the diamonds and beat him before leaving. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 27 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 4 December 2002 she was coming back from a business trip from [REDACTED] to Bangui when the vehicle in which she was with

²³¹ ICC-01/05-01/08-900-Conf-Exp-Anx22; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 44 to 45.

²³² ICC-01/05-01/08-900-Conf-Exp-Anx22, pages 9 to 11.

²³³ ICC-01/05-01/08-900-Conf-Exp-Anx23; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 46 to 47.

other passengers was stopped at the checkpoint of [REDACTED] by the Banyamulengués speaking Lingala. She alleges that the Banyamulengués raped her and looted her revenue from [REDACTED]. She states that she then returned to her family in Bangui and that her husband took her to the hospital. As a result of these events, the applicant claims to have suffered psychological and material harm.²³⁴

Analysis and conclusions

The Chamber considers that the 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 4 December 2002 at [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 9 January 2003, the Banyamulengués entered his house located at [REDACTED]. He states that they beat and tortured him and looted all his belongings which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²³⁶

Analysis and conclusions

²³⁴ ICC-01/05-01/08-900-Conf-Exp-Anx23, pages 9 to 11.

²³⁵ ICC-01/05-01/08-900-Conf-Exp-Anx24; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 48 to 49.

²³⁶ ICC-01/05-01/08-900-Conf-Exp-Anx24, pages 9 to 11, 20 to 31.

The Chamber considers that the 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 9 January 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 7 November 2002, while her husband was away, the Banyamulengués entered her place of residence, located in the [REDACTED] area of [REDACTED]. She states that they searched her house, looted her property and raped her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁸

Analysis and conclusions

The Chamber notes a slight inconsistency in the year of birth of the applicant between the Section A of the application and the birth certificate appended to the form. However the Chamber observes that (i) the inconsistency was also raised by the applicant who explains that it is due to a mistake done by the CAR authorities and that (ii) all the remaining relevant information is identical. Therefore, the Chamber is of the view that such inconsistency is not of a nature

²³⁷ ICC-01/05-01/08-900-Conf-Exp-Anx25; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 50 to 51.

²³⁸ ICC-01/05-01/08-900-Conf-Exp-Anx25, pages 9 to 11.

to materially undermine the evidence provided taken as a whole and that the applicant's identity 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 she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 7 November 2002 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on or about 29 October 2002, she was in her home in the area of [REDACTED] in Bangui, while her husband was at work and her son at school. She states that she was about to bring her earnings to the bank when seven Banyamulengués entered her house. She adds that they took the money and all her belongings and threatened to kill her. She further says that consequently her husband left her and their children and that the business she was running with her brother went bankrupt. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁴⁰

Analysis and conclusions

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

The Chamber 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

²³⁹ ICC-01/05-01/08-900-Conf-Exp-Anx28 and ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 56 to 57.

²⁴⁰ ICC-01/05-01/08-900-Conf-Exp-Anx28, pages 9 to 11.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on or about 29 October 2002 in the area of [REDACTED] in Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 14 February 2003, she, her husband and children were at the family farm on the road to [REDACTED] [REDACTED]. She states that a group of 11 people speaking Lingala and French walked towards them and took her to the bush where they raped her in turns. She adds that, after having been left by them in the bush, she got back to the farm where she saw that her husband was lying on the floor, hurt. She further alleges that they looted her property which she lists. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴²

Analysis and conclusions

The Chamber considers that the 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

²⁴¹ ICC-01/05-01/08-900-Conf-Exp-Anx29; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 58 to 59.

²⁴² ICC-01/05-01/08-900-Conf-Exp-Anx29, pages 9 to 11.

Banyamulengués of Jean-Pierre Bemba on 14 February 2003 on the road to

██████████

Applicant ██████████

Claim to victim status

The applicant claims that on 13 February 2003, she was with her husband and children in their house in ██████████ ██████████. She states that Jean-Pierre Bemba's troops entered her home and asked for money and food and that when she stated that she did not have it, they tied her up and raped her in turns in front of her husband and children. She adds that when her husband tried to intervene, they beat him. She further alleges that they also looted her belongings. She says that as a result of her humiliating rape, her husband and she divorced. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁴

Analysis and conclusions

The Chamber considers that the 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 13 February 2003 in ██████████

²⁴³ ICC-01/05-01/08-900-Conf-Exp-Anx30 and ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 60 to 61.

²⁴⁴ ICC-01/05-01/08-900-Conf-Exp-Anx30, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 February 2003, a group of 14 Banyamulengués speaking Lingala and French armed with rockets arrived in the [REDACTED] area of [REDACTED]. She states that they got out of their truck and shot into the air. She alleges that they asked her for money and that as she answered that she did not have any, they undressed her, tied her up and raped her in front of her family. She says that after her rape, her husband who died in 2007 stopped looking at her and touching her. She further states that they tortured her children and looted her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁶

Analysis and conclusions

The Chamber considers that the 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 13 February 2003 at [REDACTED].

Applicant [REDACTED]

Claim to victim status

²⁴⁵ ICC-01/05-01/08-900-Conf-Exp-Anx31; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 62 to 63.

²⁴⁶ ICC-01/05-01/08-900-Conf-Exp-Anx31, pages 9 to 11.

²⁴⁷ ICC-01/05-01/08-900-Conf-Exp-Anx32; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 64 to 65.

The applicant claims that on 29 November 2002, around the border of [REDACTED] he saw two land cruisers with USP (*Unité de Sécurité Présidentielle*) written on it going towards Boali. The applicant adds that he learnt at the [REDACTED] checkpoint that one of the land cruisers which was occupied by the Banyamulengués stopped in front of a private house and started looting it. He states that when he decided to go and see what was happening, one of his children ran to find him and tell him that they were attacking his house, located in [REDACTED]. The applicant alleges that the Banyamulengués had been looking for him and because they had not found him, they took all his belongings which he lists, values and provides, for some of them, receipts. In addition, he also claims that his daughter was raped and his son beaten. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁸

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 his alleged daughter. Therefore, the harm alleged by the applicant as a result of the rape of his daughter will not be assessed by the Chamber.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 29 November 2002 in [REDACTED].

²⁴⁸ ICC-01/05-01/08-900-Conf-Exp-Anx32, pages 9 to 11, 19, 21 to 36.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 12 November 2002, the Banyamulengués entered her house in the [REDACTED] area. She states that they took her rabbits and looted her house. In addition, she alleges that they took her daughters behind her house to rape them and four of them raped her in front of her children. She adds that she has been humiliated and that as she is a widow, people call her the Banyamulengués' woman. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁰

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 daughters. Therefore, the harm alleged by the applicant as a result of the rape of her daughters will not be assessed by the Chamber.

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 12 November 2002 in [REDACTED]

Applicant [REDACTED]

²⁴⁹ ICC-01/05-01/08-900-Conf-Exp-Anx33; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 66 to 67.

²⁵⁰ ICC-01/05-01/08-900-Conf-Exp-Anx33, pages 9 to 11.

²⁵¹ ICC-01/05-01/08-900-Conf-Exp-Anx35; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 70 to 71.

Claim to victim status

The applicant claims that, after their defeat in Bozum, MLC soldiers set up their camp in the [REDACTED] area, where she lived with her family. She states that the people of the district told the Banyamulengués that her father was [REDACTED] and from [REDACTED]. She alleges that as a result, the soldiers entered her home on 30 October 2002 and tortured her father. She also states that they threw her to the ground and raped her in turns. She further says that they pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. Although the applicant is still a minor, she is turning 18 years old in the very near future and her father ([REDACTED]) is aware of the application for participation she filed, the Chamber will thus consider her application for the purpose of this decision.

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, notably her rape by the Banyamulengués of Jean-Pierre Bemba on 30 October 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

²⁵² ICC-01/05-01/08-900-Conf-Exp-Anx35, pages 9 to 11.

²⁵³ ICC-01/05-01/08-900-Conf-Exp-Anx36; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 72 to 73.

The applicant claims that he worked for the [REDACTED] and that because of the events that occurred in his country, his General Manager received authorisation to provide them with arms so that they could secure the area and homes of their clients. He alleges that they were authorised to bring their arms home as they were called upon to cooperate with the governmental forces. He states that on 10 November 2002, when he arrived at home, in [REDACTED] Bangui, MLC soldiers of Jean Pierre Bemba entered his house and called him a rebel. He adds that while some fought him, others looted his house. He lists and values his looted property which he claims to have been stocked in a store on [REDACTED] on the river bed Oubangui to be transported to Congo. He also contends that he was then taken to the MLC base located not far away from the [REDACTED] before being released. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁴

Analysis and conclusions

The Chamber considers that the 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 10 November 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

²⁵⁴ ICC-01/05-01/08-900-Conf-Exp-Anx36, pages 9 to 11, 18, 22.

²⁵⁵ ICC-01/05-01/08-900-Conf-Exp-Anx37; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 74 to 75.

Claim to victim status

The applicant claims that on 2 November 2002, over a hundred MLC soldiers of Mr Jean-Pierre Bemba stormed into her family's plot in [REDACTED] [REDACTED] km away from Bangui. She alleges that they started beating her brother and her father. She further states that she was taken by soldiers who deflowered her (she specifies that she was 11 at the time of the alleged events) and that her mother was also violently raped by the Banyamulengués. She adds that their belongings were pillaged. In addition, the applicant states that she is stigmatized; that she was recently pregnant of a man who left her as soon as the neighbours told him that she was deflowered by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁶

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 her mother. Therefore, the harm alleged by the applicant as a result of the rape of her mother will not be assessed by the Chamber.

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, notably her rape by the Banyamulengués of Jean-Pierre Bemba on 2 November 2002 in the [REDACTED] area of [REDACTED] km away from Bangui.

²⁵⁶ ICC-01/05-01/08-900-Conf-Exp-Anx37, pages 9 to 11, 16.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002, MLC soldiers of Mr Jean-Pierre Bemba stormed her residential area ([REDACTED] road to [REDACTED] at [REDACTED]. She states that some soldiers entered her house where she was with her husband and children. She alleges that they asked them for money but that she and her husband answered that they did not have any. She says that they asked her husband to undress her and asked her to lie down on her bed. She adds that six of them raped her in turns in front of her husband while others were looting her house. She lists and values her loss. She also underlines that as a result of the rape she suffered from genital injuries and did not have the money for medical and psychological care. She further claims that they took her husband to the [REDACTED] where they had settled their prison and beat him and that since then, her husband has left her and their children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁸

Analysis and conclusions

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

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

²⁵⁷ ICC-01/05-01/08-900-Conf-Exp-Anx38; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 76 to 77.

²⁵⁸ ICC-01/05-01/08-900-Conf-Exp-Anx38, pages 9 to 11, 18.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 29 October 2002 in the [REDACTED] area,

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 28 and 29 October the MLC soldiers of Mr Jean-Pierre Bemba Gombo took control of [REDACTED] and established their base in front of the [REDACTED] market. She states that her partner had already fled when on 30 October 2002, the MLC soldiers entered her house located in the [REDACTED] area, [REDACTED]. She alleges that they threw her to the ground, raped her and took her to the MLC base where she was a victim of enforced prostitution from 30 October 2002 to 15 March 2003. She says that every night she was raped by four Banyamulengués and that she even saw Mr Jean-Pierre Bemba who held a meeting at [REDACTED]. The applicant adds that after having kidnapped her they looted her property which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶⁰

Analysis and conclusions

The Chamber considers that the 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

²⁵⁹ ICC-01/05-01/08-900-Conf-Exp-Anx39; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 78 to 79.

²⁶⁰ ICC-01/05-01/08-900-Conf-Exp-Anx39, pages 9 to 11, 18.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 30 October 2002 and between 30 October 2002 to 15 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, a group of four men entered her place of residence located in the [REDACTED] area in [REDACTED]. She alleged that they were wearing military uniforms, carrying weapons and were speaking a foreign language that she describes as being close to Lingala. She states that she ran away with her four children to [REDACTED]. A few days later, she came back and found her property looted and was told that the Banyamulengués looted it. As a result of these events she claims material harm as a result of the loss of her belongings which she lists and values.²⁶²

Analysis and conclusions

The Chamber considers that the 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 between late October 2002 and beginning of November 2002 in [REDACTED]

²⁶¹ ICC-01/05-01/08-900-Conf-Exp-Anx40; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 80 to 81.

²⁶² ICC-01/05-01/08-900-Conf-Exp-Anx40, pages 9 to 11, 18.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, a group of 14 Banyamulengués entered her place of residence in the [REDACTED] area of [REDACTED]. She alleged that they looted her house and came back on the following days, obliging her to flee from her home. She states that she came back three months later, after General Bozizé had seized power and she submits a list with the looted belongings which she values. As a result of these events, she claims to have suffered material harm.²⁶⁴

Analysis and conclusions

The Chamber considers that the 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 November 2002 in the [REDACTED] area of [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 October 2002, in the aftermath of military clashes between the Banyamulengués of Jean-Pierre Bemba and the troops of General

²⁶³ ICC-01/05-01/08-900-Conf-Exp-Anx41; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 82 to 83.

²⁶⁴ ICC-01/05-01/08-900-Conf-Exp-Anx41, pages 9 to 11, 19.

²⁶⁵ ICC-01/05-01/08-900-Conf-Exp-Anx42; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 84 to 85.

Bozizé, he ran away from his home located in the [REDACTED] area of [REDACTED]. He adds that he went back to his house one week later and found it looted. He states that according to one witness whose name he gives, the house was looted by the Banyamulengués and he submits a list with the looted belongings which he values. As a result of these events, he claims to have suffered material harm.²⁶⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1st November 2002, three groups of Bemba's men arrived in their district in [REDACTED]. She alleges that they shot at her son's legs and pillaged her furniture and other household goods. She claims to suffer material harm as a result of the loss of her belongings.²⁶⁸

Analysis and conclusions

²⁶⁶ ICC-01/05-01/08-900-Conf-Exp-Anx42, pages 9 to 11, 20.

²⁶⁷ ICC-01/05-01/08-900-Conf-Exp-Anx43; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 86 to 87.

²⁶⁸ ICC-01/05-01/08-900-Conf-Exp-Anx43, pages 9 to 11, 17.

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of her son and their kinship, only the pillage of the applicant's belongings will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the men of Jean-Pierre Bemba raped her and pillaged her house, which is located in the [REDACTED] quarter of Bangui. The applicant also states that she was forced by the soldiers to carry their stolen items up to the Oubangui River. After the events, she was abandoned by her husband. As a result of these events, the applicant claims to have suffered psychological and material harm.²⁷⁰

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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

²⁶⁹ ICC-01/05-01/08-900-Conf-Exp-Anx44; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 88 to 89.

²⁷⁰ ICC-01/05-01/08-900-Conf-Exp-Anx44, 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 her rape and the pillage of her house by the Banyamoulengués of Jean-Pierre Bemba on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 25 November 2002, the men of Bemba arrived in the [REDACTED] area of Bangui and shot in the air. She said that the population panicked and that she left her house. Upon her return, she found that her house had been emptied by the Banyamulengués. As a result of this event, the applicant claims to have suffered material harm.²⁷²

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 house in the [REDACTED] quarter of Bangui by the Banyamulengués of Jean-Pierre Bemba on or after 25 November 2002.

²⁷¹ ICC-01/05-01/08-900-Conf-Exp-Anx45; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 90 to 91.

²⁷² ICC-01/05-01/08-900-Conf-Exp-Anx45, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, six soldiers of Jean-Pierre Bemba entered her family house, which is located in the [REDACTED] quarter of Bangui, and took her father and her brother in hostage. She states that they pillaged the house, including various household goods and personal belongings. She further claims that three of them raped her. She states that she was only 15 at the moment and that they deflowered her. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁷⁴

Analysis and conclusions

The Chamber considers that the 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 her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 10 November 2002, while she was alone with her children in her house, the Banyamulengués entered her house, which is located

²⁷³ ICC-01/05-01/08-900-Conf-Exp-Anx46; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 92 to 93.

²⁷⁴ ICC-01/05-01/08-900-Conf-Exp-Anx46, pages 9 to 11.

²⁷⁵ ICC-01/05-01/08-900-Conf-Exp-Anx47; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 94 to 95.

in the [REDACTED] area. She contends that upon the Banyamulengués' threat, she handed over all the money her husband had given her before. She further states that her house was pillaged and she lists and values the looted goods. She claims that they also killed the cattle. Moreover, the applicant alleges that the Banyamulengués killed her husband.

As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁷⁶

Analysis and conclusions

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

In the absence of any document demonstrating the identity of and relationship with her deceased husband, only pillage will be considered for the purpose of the present assessment. 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 house in the [REDACTED] area by the Banyamulengués of Jean-Pierre Bemba on 10 November 2002.

Applicant [REDACTED]

Claim to victim status

The application is introduced by the applicant's father who is acting on the applicant's behalf. Authority for the father to act on behalf of his son is

²⁷⁶ ICC-01/05-01/08-900-Conf-Exp-Anx47, pages 10, 11, 12, 22, 23

²⁷⁷ ICC-01/05-01/08-900-Conf-Exp-Anx48; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 96 to 97.

established through a declaration which was signed by the applicant and appended to the application form.

It is stated that on 4 November 2002, the applicant, when he arrived at [REDACTED] together with his two brothers, was stopped by Jean-Pierre Bemba's troops in their own house which had already been occupied by the troops. It is further reported that the applicant and his brothers were tortured and that the applicant was beaten until he lost consciousness. When the father returned home, he noticed that all their belongings including those of the applicant had been looted. It is claimed that the applicant has suffered physical harm as a result of the beatings as well as material harm due to the loss of his belongings.²⁷⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in relation to the person acting on his behalf, the Chamber notes that although he has not appended any identity document, it is provided in his own application and his identity is thus sufficiently demonstrated.

On the basis of the application as a whole, the Chamber considers that the evidence provided is sufficient to establish *prima facie* that the applicant 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 through the Banyamulengués of Jean-Pierre Bemba in 4 November 2002.

Applicant [REDACTED]

²⁷⁸ ICC-01/05-01/08-900-Conf-Exp-Anx48, pages 10, 11, 12, 19, 22, 23, 24, 25.

²⁷⁹ ICC-01/05-01/08-900-Conf-Exp-Anx49; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 98 to 99.

Claim to victim status

The applicant claims that on 3 November 2002, the Banyamulengués entered her place of residency located in the [REDACTED] quarter of [REDACTED]. She alleges that the Banyamulengués wanted to rape her daughters but she fought with the Banyamulengués and thus enabled her daughters to escape. However, the applicant could not escape herself and she was severely beaten and raped by six Banyamulengués. She adds that thereafter, another group of Banyamulengués entered and looted her house. The applicant provides a list with the looted goods, which she values. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁸⁰

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 her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] quarter of [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

²⁸⁰ ICC-01/05-01/08-900-Conf-Exp-Anx49, pages 10 to 12, 20.

²⁸¹ ICC-01/05-01/08-900-Conf-Exp-Anx51; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 102 to 103.

The applicant claims that on 28 February 2003, the Banyamulengués of Jean - Pierre Bemba entered her house, which is located in the [REDACTED] quarter of Bangui, and looted her property. After the events, the applicant was traumatized. As a result of these events, the applicant claims to have suffered psychological and material harm.²⁸²

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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 28 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, when the soldiers of Jean-Pierre Bemba invaded the [REDACTED] they entered her home, which is located in the [REDACTED] quarter of [REDACTED]. The applicant, who was 7 months pregnant, asserts that she was severely beaten by the soldiers. She states that after having beaten her, the Banyamulengués looted her home. The applicant provides a list with the looted items, which she values. The applicant submits that as a consequence of

²⁸² ICC-01/05-01/08-900-Conf-Exp-Anx51, pages 10 to 12.

²⁸³ ICC-01/05-01/08-900-Conf-Exp-Anx52; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 104 to 105.

the beatings, her bladder broke. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁸⁴

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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba's soldiers looted the [REDACTED] area, [REDACTED]. The applicant specifies that his family fled while he stayed to keep the house. The applicant asserts that when the soldiers arrived at his home, they beat him and looted the house. As a result of these events, the applicant claims to have suffered physical and material harm.²⁸⁶

Analysis and conclusions

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

²⁸⁴ ICC-01/05-01/08-900-Conf-Exp-Anx52, pages 10 to 12, 20.

²⁸⁵ ICC-01/05-01/08-900-Conf-Exp-Anx53; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 106 to 107.

²⁸⁶ ICC-01/05-01/08-900-Conf-Exp-Anx53, pages 10 to 12, 20.

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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 30 November 2002, while she was at the market and her husband was at work, her daughter witnessed how six armed Banyamulengués entered and looted their house which is located in [REDACTED]. The applicant submits a list with the looted items, which she values. As a result of these events, the applicant claims to have suffered material and psychological harm.²⁸⁸

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 30 November 2002.

²⁸⁷ ICC-01/05-01/08-900-Conf-Exp-Anx55; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 110 to 111.

²⁸⁸ ICC-01/05-01/08-900-Conf-Exp-Anx55, pages 10 to 12, 20.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués, who were returning from [REDACTED] took control over the [REDACTED] area, where the applicant was living. The applicant states that they killed his father and pillaged their house. He lists and values the looted items. As a result of these events, the applicant claims to have suffered material harm.²⁹⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of his alleged father and their kinship.

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 murder of his father and the pillage of his family house, to the extent of his belongings, by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, she was raped, while pregnant, by ten of Bemba's soldiers in her home in the [REDACTED] area. She further states that

²⁸⁹ ICC-01/05-01/08-900-Conf-Exp-Anx56; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 112 to 113.

²⁹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx56, pages 10 to 12.

²⁹¹ ICC-01/05-01/08-900-Conf-Exp-Anx57; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 114 to 115.

the soldiers looted her home. She lists and values the looted goods. Among the looted goods, she states that they also took the money of the Church which she was holding in her capacity as [REDACTED]. As a result of these events, the applicant claims to have suffered psychological and material harm.²⁹²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the applicant's father as well as the kinship between them.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her house, with the exception of the money belonging to [REDACTED], by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] quarter on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, the Banyamulengués attacked her village in the [REDACTED] area which is located at [REDACTED] km from Bangui. She states that the Banyamulengués entered her plot and beat her, her children as well as her mother. The applicant contends that they then entered her house and pillaged her belongings, including the money she had tried to conceal by attaching it to her belt. She provides a list with the looted goods which she values. The applicant further submits that 3 of the Banyamulengués successively raped her

²⁹² ICC-01/05-01/08-900-Conf-Exp-Anx57, pages 10 to 12.

²⁹³ ICC-01/05-01/08-900-Conf-Exp-Anx59; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 118 to 119.

and that she was seriously ill after the rape. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁴

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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 her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 14 February 2003, a group of 7 Banyamulengués came in a Toyota car to her house which is located in the [REDACTED] quarter of [REDACTED] in [REDACTED]. She contends that the men, who were speaking Lingala, beat her as well as her children. She adds that they also looted her house and lists and values the looted goods. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁶

Analysis and conclusions

²⁹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx59, pages 10 to 12, 20.

²⁹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx61; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 122 to 123.

²⁹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx61, pages 10 to 12, 20.

The Chamber considers that the document provided demonstrates 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 on 14 February 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 23 November 2002, she was raped by four soldiers of Bemba in her house in the [REDACTED] area. She contends that her house has also been looted. She claims to have contracted HIV as a result of the rape and provides to that effect a medical examination carried out in 2008. As a result of these events, the applicant claims to have suffered physical and material harm.²⁹⁸

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 November 2002.

²⁹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx62; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 124 to 125.

²⁹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx62, pages 10 to 12, 20.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 November 2002, the rebels entered his home in [REDACTED]. He contends that they beat him and looted his belongings, including his motorbike and his wife's moped. The applicant provides a list with the looted items, which he values. The applicant claims that Jean- Pierre Bemba is responsible for the events. As a result of these events, the applicant claims to have suffered material harm.³⁰⁰

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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 27 November 2002.

Applicant [REDACTED]

Claim to victim status

²⁹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx63; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 126 to 127.

³⁰⁰ ICC-01/05-01/08-900-Conf-Exp-Anx63, pages 10 to 12,21.

³⁰¹ ICC-01/05-01/08-900-Conf-Exp-Anx64; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 128 to 129.

The applicant avers that on 13 March 2003, the troops of Jean-Pierre Bemba, on their way back to the DRC, came to his village [REDACTED] [REDACTED] which is located behind [REDACTED] [REDACTED]. He contends that they pillaged his belongings and set his house on fire. The applicant states that following the attack by the Banyamulengués, he fled with his family to the forest where they spent more than three weeks in very difficult conditions. He further provides a list with the lost goods which he values. As a result of these events, the applicant submits that he suffered physical, psychological and material harm.³⁰²

Analysis and conclusions

The Chamber considers that the 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 family's house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba on 13 March 2003 in [REDACTED]

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant claims that on 11 January 2003, Bemba's men approached him in his field, in [REDACTED] on the road to [REDACTED]. He alleges that the men asked for money and when he responded that he had no money, he was beaten and

³⁰² ICC-01/05-01/08-900-Conf-Exp-Anx64, pages 10 to 12, 19.

³⁰³ ICC-01/05-01/08-900-Conf-Exp-Anx65; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 130 to 131.

tortured so severely that he lost consciousness. The applicant further submits that the Banyamulengués took his bike and a wheelbarrow. As a result of these events, the applicant claims to have suffered physical and material harm.³⁰⁴

Analysis and conclusions

The Chamber considers that the 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 11 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 December 2002, her husband, who was on his way home from the slaughterhouse in Bangui to their house close to [REDACTED] was stopped and killed by the Banyamulengués. She specifies that she was informed about the murder by a group of women who had witnessed the event. Subsequently, she went with them to recover the corpse. Due to the death of her husband, the applicant states that she is experiencing anxiety and sadness and that she has lost a part of her revenues. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁰⁶

³⁰⁴ ICC-01/05-01/08-900-Conf-Exp-Anx65, pages 10 to 12.

³⁰⁵ ICC-01/05-01/08-900-Conf-Exp-Anx66; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 132 to 133.

³⁰⁶ ICC-01/05-01/08-900-Conf-Exp-Anx66, pages 10 to 12.

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her deceased husband as well as their kinship. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her husband by the Banyamulengués of Jean-Pierre Bemba on 15 December 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 18 November 2002, the troops of Mr Bemba came to the [REDACTED] quarter, [REDACTED] where they pillaged and destroyed his house. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁰⁸

Analysis and conclusions

The Chamber considers that the document 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 18 November 2002.

³⁰⁷ ICC-01/05-01/08-900-Conf-Exp-Anx67; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 134 to 135.

³⁰⁸ ICC-01/05-01/08-900-Conf-Exp-Anx67, pages 10 to 12.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 17 November 2002, in the [REDACTED] area, in the North of Bangui, Bemba's men entered his home. He states that the soldiers beat him so severely on his legs that he is now physically handicapped. In addition, the applicant alleges that they took away a part of his belongings. As a result of these events, the applicant claims to have suffered physical and material harm.³¹⁰

Analysis and conclusions

The Chamber considers that the document provided demonstrates the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 17 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 16 November 2002, Bemba's men, who were committing crimes, rapes, thefts and other violent acts, pillaged and destroyed

³⁰⁹ ICC-01/05-01/08-900-Conf-Exp-Anx69; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 138 to 139.

³¹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx69, pages 4, 10 to 12.

³¹¹ ICC-01/05-01/08-900-Conf-Exp-Anx70; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 140 to 141.

her house in [REDACTED] in the North of Bangui, and beat her husband. As a result of these events, the applicant claims to have suffered material harm.³¹²

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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 16 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 23 November 2002, his house, which is located in the [REDACTED] area, was looted. In this regard, he submits a list with the looted items, which he values. He further states that his 13 year-old daughter was raped. The applicant considers that Jean-Pierre Bemba is responsible for the reported events. As a result of these events, the applicant claims to have suffered material harm.³¹⁴

Analysis and conclusions

³¹² ICC-01/05-01/08-900-Conf-Exp-Anx70, pages 10 to 12.

³¹³ ICC-01/05-01/08-900-Conf-Exp-Anx71; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 142 to 143.

³¹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx71, pages 10 to 12.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he has 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 in [REDACTED] on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 November 2002, the Banyamulengués came to his house in the [REDACTED] area of [REDACTED]. He states that upon his resistance to their attempts to loot his house, the soldiers tortured him and raped his three daughters. He adds that they further pillaged his farm. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³¹⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his daughters and the kinship between them, only the pillage of the

³¹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx72; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 144 to 145.

³¹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx72, pages 10 to 12.

applicant's belongings will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 13 March 2003, the Banyamulengués, who were on their retreat to the DRC, came to [REDACTED] where they inflicted violence upon the applicant and his family. According to the applicant, the Banyamulengués tortured his family, looted all his belongings and then put his house on fire and took his pirogue in order to get to the DRC. Following the events, the applicant states he fled with his family to the bush. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³¹⁸

Analysis and conclusions

The Chamber considers that the 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

³¹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx74; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 148 to 149.

³¹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx74, pages 10 to 12.

that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his family's house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 25 November 2002, Bemba's soldiers looted her family's house in the [REDACTED] area. The applicant lists and values the looted items. As a result of these events, the applicant claims to have suffered material harm.³²⁰

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 family's house, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 25 November 2002.

Applicant [REDACTED]

³¹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx75; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 150 to 151.

³²⁰ ICC-01/05-01/08-900-Conf-Exp-Anx75, pages 10 to 12.

³²¹ ICC-01/05-01/08-900-Conf-Exp-Anx76; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 152 to 153.

Claim to victim status

The applicant alleges that on 25 November 2002, Bemba's men looted her family's house which is located in the [REDACTED] area, in the [REDACTED] arrondissement of Bangui. She submits a list with the looted items which she values. As a result of these events, the applicant claims to have suffered psychological and material harm.³²²

Analysis and conclusions

The Chamber considers that the document provided demonstrates 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 family's house, to the extent of her personal belongings, in the [REDACTED] area by the Banyamulengués of Jean-Pierre Bemba on 25 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in November 2002, he fled from his family home in [REDACTED] Bangui, due to the presence of the Banyamulengués in the district. He alleges that his wife followed him later with the children. However, during their flight, his 8 year-old daughter was allegedly injured by a bullet and died thereafter. According to the death certificate appended to this application, she

³²² ICC-01/05-01/08-900-Conf-Exp-Anx76, pages 10 to 12.

³²³ ICC-01/05-01/08-900-Conf-Exp-Anx77; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 154 to 155.

died on ■ December 2002. He further submits that when he returned to Bangui several weeks later, he realized that his house had been pillaged. He does not specify who fired the bullet which injured his daughter, but he states that Bemba's troops are responsible for the events. With regard to the pillage, he states that his neighbours have seen the Banyamulengués pillaging the house. The applicant states that he is gripped with sadness over the death of his daughter. As a result of these events, he claims to have suffered psychological and material harm.³²⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, of his deceased daughter as well as the kinship between them.

Although the applicant did not personally see who pillaged his house, the Chamber is satisfied that the link with the Banyamulengués can be inferred from the general circumstances of the events as well as from the applicant's submission that his neighbours have seen the Banyamulengués pillaging the house. In all these circumstances, 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 murder of his daughter and the pillage of his house in November 2002 by the Banyamulengués of Jean-Pierre Bemba.

Applicant ■■■

³²⁴ ICC-01/05-01/08-900-Conf-Exp-Anx77, pages 10 to 12.

³²⁵ ICC-01/05-01/08-900-Conf-Exp-Anx78; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 156 to 157.

Claim to victim status

The applicant claims that on 6 November 2002, a group of 15 Banyamulengués came to her house in [REDACTED] [REDACTED]. She contends that they first raped her and then pillaged her house. The applicant alleges that she has contracted HIV through the rape and that, as a consequence, she is very ill and her children had to quit school in order to take care of her. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³²⁶

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 her rape and the pillage of her house in [REDACTED] [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 6 November 2002.

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, at 9.00, the MLC of Jean-Pierre Bemba attacked the [REDACTED] area, [REDACTED] arrondissement, Bangui. According to the applicant, they were armed, were speaking Lingala and they were accompanied by military loyalists who were speaking Sango. The applicant asserts that 15 men

³²⁶ ICC-01/05-01/08-900-Conf-Exp-Anx78, pages 10 to 12.

³²⁷ ICC-01/05-01/08-900-Conf-Exp-Anx79; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 158 to 159.

came to her house, confined the whole family in the living room, threatened them with weapons and asked for money. They explained that they had come in order to protect President Patassé and his family and they had come against the civilians because they were accomplices in the overthrow of President Patassé. The applicant further contends that they pillaged and destroyed all her goods and furniture, as well as her jewelry. She submits a list of the stolen goods which she values. The applicant also alleges that she was tortured. As a result of these events, the applicant claims to have suffered material, physical and psychological harm.³²⁸

Analysis and conclusions

Although the Chamber notes a slight discrepancy with regard to the date of birth as appearing on the submitted documents, it 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 11 March 2003, his shop at the [REDACTED] market as well as his bike and wheelbarrow were looted by the Banyamulengués. He provides a

³²⁸ ICC-01/05-01/08-900-Conf-Exp-Anx79, pages 10 to 12, 20, 31.

³²⁹ ICC-01/05-01/08-900-Conf-Exp-Anx80; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 160 to 161.

document valuing the total loss. The applicant claims that the loss suffered due to the looting obliged him to suspend his university education. As a result of these events, the applicant claims to have suffered psychological and material harm.³³⁰

Analysis and conclusions

The Chamber notes an inconsistency with regard to the year of birth as appearing in the applicant's means of identification, in as much as the year of birth appearing on the applicant's identity card differs from the year of birth indicated in his student card, birth certificate, receipt for payment of tuition fees and the application form. However, the Chamber is of the view that such inconsistency can be the result of a clerical error and is as such not of a nature to materially undermine the evidence provided taken as a whole. As all other information contained in the documents is consistent, the Chamber is satisfied that the documents provided sufficiently 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 and his shop at the [REDACTED] market by the Banyamulengués of Jean-Pierre Bemba on 11 March 2003.

Applicant [REDACTED]

³³⁰ ICC-01/05-01/08-900-Conf-Exp-Anx80, pages 10 to 12, 20.

³³¹ ICC-01/05-01/08-900-Conf-Exp-Anx82; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 164 to 165.

Claim to victim status

The applicant alleges that on 20 November 2002, her concession in the [REDACTED] area, [REDACTED] Bangui, was attacked and pillaged by Bemba's troops. She specifies that when they entered their concession, they claimed to be the Banyamulengués, and that they drank blood and will drink their blood. She states that one of the men beat her on her arm which left her incapacitated for several months. The applicant reports that after having emptied the 4 houses and the shop in the concession, they left to come back a few hours later to rape them. The applicant specifies that Bemba's men did not manage to rape them all because some had fled and found refuge in the [REDACTED] [REDACTED]. However, she states that her mother, her grand-mother and her aunt stayed home. When the applicant came back, she realized that her restaurant had also been pillaged. She submits a list with the lost goods which she values. She further contends that her mother, grand-mother and her aunt lived in fear, have had a heart condition and consequently died. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³³²

Analysis and conclusions

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

In the absence of any document demonstrating the identity of and the kinship with the deceased mother, grand-mother and aunt, and given that the information provided is not sufficient to establish a link with the crimes confirmed against the accused, only pillage will be considered for the purpose of the present assessment.

³³² ICC-01/05-01/08-900-Conf-Exp-Anx82, pages 10 to 12, 21 to 27.

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 home and her restaurant in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 20 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002 while she was with her children in her house in [REDACTED] the house was attacked by the Banyamulengués, whom she refers to as the forces of Jean-Pierre Bemba's MLC. The applicant alleges that they demanded money and when she replied that she did not have any money, the Banyamulengués beat her and drove her out of the house. According to the applicant, the Banyamulengués stayed and occupied the house until 15 March 2003. When she came back, she realized that all her goods had been pillaged. She provides a list with the looted goods which she values and she states that she still has nightmares because of the events. The applicant claims that as a result of these events, she has suffered psychological and material harm.³³⁴

Analysis and conclusions

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

³³³ ICC-01/05-01/08-900-Conf-Exp-Anx83; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 166 to 167.

³³⁴ ICC-01/05-01/08-900-Conf-Exp-Anx83, pages 10 to 12, 20.

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 home in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba between 2 November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 22 November 2002, Bemba's soldiers attacked and pillaged her home in the [REDACTED] area, Bangui, took all her money and beat her up. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³³⁶

Analysis and conclusions

The Chamber considers that the 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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 22 November 2002.

Applicant [REDACTED]

³³⁵ ICC-01/05-01/08-900-Conf-Exp-Anx84; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 168 to 169.

³³⁶ ICC-01/05-01/08-900-Conf-Exp-Anx84, pages 10 to 12.

³³⁷ ICC-01/05-01/08-900-Conf-Exp-Anx85; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 170 to 171.

Claim to victim status

The applicant alleges that on 23 November 2003, the Banyamulengués attacked the [REDACTED] area which made her flee to the fields. She states that when she came back, all her belongings had been taken away by Bemba's men and her house was empty. She further contends that she was raped by 3 of Bemba's men and that she was seriously ill after the rape which forced her to spend a huge amount of money in treatments. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³³⁸

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 her rape and the pillage of her house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 8 November 2002, Bemba's troops, the Banyamulengués, invaded her house which is located in the [REDACTED] area, in the [REDACTED] arrondissement. According to the applicant, they were shouting in

³³⁸ ICC-01/05-01/08-900-Conf-Exp-Anx85, pages 10 to 12.

³³⁹ ICC-01/05-01/08-900-Conf-Exp-Anx86; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 172 to 173.

Lingala. She states that they pillaged her house and she submits a list with the looted goods which she values. She further asserts that Bemba's men beat her and humiliated her in public, in front of her son and her husband. The applicant submits that she still suffers health problems caused by the beatings and that her son who witnessed the event also has psychological problems. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁴⁰

Analysis and conclusions

The Chamber considers that the 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 house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 8 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant contends that on 23 November 2002, the Banyamulengués who were on their way back from [REDACTED] came to the [REDACTED] area, in the [REDACTED] arrondissement of Bangui. According to the applicant, they invaded his home and pillaged his belongings. The applicant maintains further that he was taken hostage by the Banyamulengués and forced to transport his belongings to the

³⁴⁰ ICC-01/05-01/08-900-Conf-Exp-Anx86, pages 10 to 12, 23, 25 19.

³⁴¹ ICC-01/05-01/08-900-Conf-Exp-Anx87; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 174 to 175.

Oubangui River. The applicant claims that upon his return home, he found his daughter dead. To that effect, he provides a death certificate attesting that the death occurred on ■ November 2002. He contends that his daughter died following her rape by Bemba's soldiers. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁴²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant and his deceased daughter as well as their kinship.

The Chamber considers that, overall, 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 house as well as the rape and the murder of his daughter in ■ by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002.

Applicant ■ ■

The claim to victim status

The applicant states that on 12 March 2003, during their retreat to ■ the men of Jean-Pierre Bemba murdered her husband. In addition, the applicant alleges that they also entered her house located in the ■ area, and looted her property. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁴⁴

³⁴² ICC-01/05-01/08-900-Conf-Exp-Anx87, pages 10 to 12.

³⁴³ ICC-01/05-01/08-900-Conf-Exp-Anx 90; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 180 to 181.

³⁴⁴ ICC-01/05-01/08-900-Conf-Exp-Anx90, pages 10 to 12, 20.

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, her deceased husband and their kinship.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her husband and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba on 12 March 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that from 22 to 23 November 2002, the men of Jean-Pierre Bemba entered his house and used it as their military base. The events took place in [REDACTED] area, in Bangui. The applicant further alleges that they looted his property. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁴⁶

Analysis and conclusions

The Chamber considers that the 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

³⁴⁵ ICC-01/05-01/08-900-Conf-Exp-Anx92; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 184 to 185.

³⁴⁶ ICC-01/05-01/08-900-Conf-Exp-Anx92, pages 10 to 12.

accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba from 22 to 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 2 February 2003, the Banyamulengués arrived at his home, in the [REDACTED] area, [REDACTED] at the north exit of Bangui. He says that the Banyamulengués looted his property and destroyed the house. In addition, the applicant alleges that the Banyamulengués slapped his wife and attempted to rape her but gave up due to her illness. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁴⁸

Analysis and conclusions

The Chamber considers that the 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 2 February 2003 in the [REDACTED] area, [REDACTED]

Applicant [REDACTED]

The claim to victim status

³⁴⁷ ICC-01/05-01/08-900-Conf-Exp-Anx93; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 186 to 187.

³⁴⁸ ICC-01/05-01/08-900-Conf-Exp-Anx93, pages 10 to 12.

³⁴⁹ ICC-01/05-01/08-900-Conf-Exp-Anx94; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 188 to 189.

The applicant states that on 4 November 2002, the Banyamulengués entered his bar in [REDACTED]. He alleges that the Banyamulengués requested in Lingala for money and drinks and that he was violently slapped when he refused. The Banyamulengués then looted his property. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁵⁰

Analysis and conclusions

The Chamber considers that the 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 bar by the Banyamulengués of Jean-Pierre Bemba on 4 November 2002 in [REDACTED].

Applicant [REDACTED]

The claim to victim status

The applicant states that on 2 March 2003, while he was coming back from a business trip at which occasion he had bought merchandise to resell in Bangui, he was stopped by the Banyamulengués at [REDACTED]. The Banyamulengués then looted his property, notably his money, merchandise and clothes, in [REDACTED] near the bus station. In addition, the applicant says that the Banyamulengués beat him

³⁵⁰ ICC-01/05-01/08-900-Conf-Exp-Anx94, pages 10 to 12.

³⁵¹ ICC-01/05-01/08-900-Conf-Exp-Anx95; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 190 to 191.

with a whip. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁵²

Analysis and conclusions

The Chamber considers that the 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 2 March 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 16 February 2003, in the [REDACTED] area, near Bangui, his property was looted by the men of Jean-Pierre Bemba. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁵⁴

Analysis and conclusions

The Chamber considers that the 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

³⁵² ICC-01/05-01/08-900-Conf-Exp-Anx95, pages 10 to 12.

³⁵³ ICC-01/05-01/08-900-Conf-Exp-Anx97; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 194 to 195.

³⁵⁴ ICC-01/05-01/08-900-Conf-Exp-Anx97, pages 10-12.

accused, namely the pillage of his property by the Banyamulengués of Jean-Pierre Bemba on 16 February 2003 in the [REDACTED] area.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 22 November 2002, Bemba's men entered his shop, in [REDACTED] area, Bangui, and looted his property. In addition, the applicant alleges that his house was also pillaged. The applicant adds that because they did not leave anything in the house, he and his family now sleep on the ground. As a result of these events, the applicant claims to have suffered psychological and material harm.³⁵⁶

Analysis and conclusions

The Chamber considers that the 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 shop and his house by the Banyamulengués of Jean-Pierre Bemba on 22 November 2002 in [REDACTED] area, Bangui.

Applicant [REDACTED]

The claim to victim status

³⁵⁵ ICC-01/05-01/08-900-Conf-Exp-Anx98; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 196 to 197.

³⁵⁶ ICC-01/05-01/08-900-Conf-Exp-Anx98, pages 10 to 12.

³⁵⁷ ICC-01/05-01/08-900-Conf-Exp-Anx100 ; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 200 to 201.

The applicant states that on 24 November 2002, on his way back from a trip, the truck he was travelling in with his merchandise was stopped by Bemba's men, in [REDACTED]. He claims that they looted his property. In addition, the applicant declares that Bemba's men also entered his house, in [REDACTED] area of Bangui, and pillaged it. As a result of these events, the applicant claims to have suffered material harm.³⁵⁸

Analysis and conclusions

The Chamber considers that the 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 property in [REDACTED] and of his house in [REDACTED] area of Bangui, by the Banyamulengués of Jean-Pierre Bemba on 24 November 2002.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués entered her house, in [REDACTED] Bangui. She claims that they beat up her husband and that seven of them raped her. She alleges that they contaminated her with the HIV

³⁵⁸ ICC-01/05-01/08-900-Conf-Exp-Anx100, pages 10 to 12.

³⁵⁹ ICC-01/05-01/08-900-Conf-Exp-Anx101 ; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 202 to 203.

virus. She adds that they looted their house. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁰

Analysis and conclusions

The Chamber considers that the 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 house by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in [REDACTED] Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 14 February 2003, while she was going to barter goods together with some friends, she was captured by the Banyamulengués in [REDACTED]. She states that she was held for 3 days and that during this time she was raped by 15 Banyamulengués and she was held as a sexual slave for the troops of Jean-Pierre Bemba. In addition, she alleges that her property was looted. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁶²

Analysis and conclusions

³⁶⁰ ICC-01/05-01/08-900-Conf-Exp-Anx101, pages 10 to 12.

³⁶¹ ICC-01/05-01/08-900-Conf-Exp-Anx102 ; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 204 to 205.

³⁶² ICC-01/05-01/08-900-Conf-Exp-Anx102, pages 10 to 12.

The Chamber considers that the 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 property during three subsequent days in [REDACTED] on and after 14 February 2003.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 3 March 2003, while she was with her husband in the [REDACTED] area of Bangui, the Banyamulengués appeared, tore her out from her husband's hands and raped her in turn. The applicant says that she is now HIV positive and that she was abandoned by her husband. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁴

Analysis and conclusions

The Chamber considers that the 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

³⁶³ ICC-01/05-01/08-900-Conf-Exp-Anx103; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 206 to 207.

³⁶⁴ ICC-01/05-01/08-900-Conf-Exp-Anx103, pages 10 to 12, 20.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba on 3 March 2003 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 22 November 2002, while she was visiting her aunt in [REDACTED] at the [REDACTED] of Bangui, the Banyamulengués entered her aunt's house, while she was absent. She claims that they harassed her, took her clothes off and 6 of them raped her in turn. The applicant also says that the Banyamulengués looted some goods in the house. The applicant adds that she has been repudiated by her husband. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that it is not clear whether the goods the Banyamulengués stole in the house where the rape took place belonged to the applicant or to her aunt.

In light of the fact that the pillage took place at the house of the applicant's aunt, and given that the applicant does not indicate that her personal belongings have also been pillaged, only her rape will be considered for the purpose of the present assessment. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes

³⁶⁵ ICC-01/05-01/08-900-Conf-Exp Anx104; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 208 to 209.

³⁶⁶ ICC-01/05-01/08-900-Conf-Exp-Anx104, pages 10 to 12.

confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba on 22 November 2002 in [REDACTED] at [REDACTED] of Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 23 November 2002, the men of Jean-Pierre Bemba, while on their way back from [REDACTED], entered her house, which is located in the [REDACTED] area of Bangui. She claims that they looted her property. In addition, the applicant declares that the men of Jean-Pierre Bemba raped her in front of her husband and her children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁸

Analysis and conclusions

The Chamber considers that the 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 property by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

The claim to victim status

³⁶⁷ ICC-01/05-01/08-900-Conf-Exp-Anx105; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 210 to 211.

³⁶⁸ ICC-01/05-01/08-900-Conf-Exp-Anx105, pages 10 to 12.

³⁶⁹ ICC-01/05-01/08-900-Conf-Exp-Anx106; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 212 to 213.

The applicant states that on 26 November 2002, in the [REDACTED] area, [REDACTED] district of Bangui, the men of Jean-Pierre Bemba were coming from [REDACTED] and began disseminating terror among the civilian population, looting, raping women and shooting people. The applicant alleges that they entered her house and looted her property. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³⁷⁰

Analysis and conclusions

The Chamber considers that the 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 property by the Banyamulengués of Jean-Pierre Bemba on 26 November 2002 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 2 February 2003, the men of Jean-Pierre Bemba irrupted in his family's house, in the [REDACTED] area of Bangui. The applicant states that they raped his mother and killed his father without hesitation when he attempted to stop the rape. In addition, he alleges that his family's house was looted. The applicant, together with three other children fled from the house. As

³⁷⁰ ICC-01/05-01/08-900-Conf-Exp-Anx106, pages 10 to 12.

³⁷¹ ICC-01/05-01/08-900-Conf-Exp-Anx107; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 214 to 215.

a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁷²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, his deceased father, his deceased mother and the kinship between them.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the rape of his mother, the murder of his father and the pillage of his house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba on 2 February 2003 in the [REDACTED] area of Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 3 November 2002, the soldiers of Jean-Pierre Bemba arrived in [REDACTED] km from Bangui, and started firing in the air. She alleges that they entered her house, took her clothes off, searched her and took her money. In addition, the applicant, who was 5 months pregnant, says that due to the shock she began trembling and she later gave birth to a dead baby. She further states that the soldiers of Jean-Pierre Bemba pillaged her house. In this respect, she appends a list of the pillaged goods which she values. As a result of

³⁷² ICC-01/05-01/08-900-Conf-Exp-Anx107, pages 10 to 12, 21, 22, 24.

³⁷³ ICC-01/05-01/08-900-Conf-Exp-Anx108; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 216 to 217.

the alleged events the applicant claims to have suffered psychological, physical and material harm.³⁷⁴

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in [REDACTED] km from Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 23 November 2002, along the Oubangui River in [REDACTED] the men of Jean-Pierre Bemba murdered his 10 years-old son, who was coming back from fishing. His body was found the day after on the crime's scene. As a result of the alleged events, the applicant claims to have suffered psychological harm.³⁷⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, his deceased son as well as the kinship between them.

³⁷⁴ ICC-01/05-01/08-900-Conf-Exp-Anx108, pages 10 to 12, 20.

³⁷⁵ ICC-01/05-01/08-900-Conf-Exp-Anx109; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 218 to 219.

³⁷⁶ ICC-01/05-01/08-900-Conf-Exp-Anx109, pages 10 to 12, 21.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his son by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 along the Oubangui River, nearby the [REDACTED].

Applicant [REDACTED]

The claim to victim status

The applicant states that on 22 November 2002, in the [REDACTED] area of Bangui, the men of Jean-Pierre Bemba came to her house and stole money, clothes and furniture. The applicant says that she and her children had to carry the stolen goods to the river for their transportation to Zongo. As a result of the alleged events the applicant claims to have suffered material harm.³⁷⁸

Analysis and conclusions

The Chamber considers that the 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 22 November 2002 in the [REDACTED] area, Bangui.

³⁷⁷ ICC-01/05-01/08-900-Conf-Exp-Anx110; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 220 to 221.

³⁷⁸ ICC-01/05-01/08-900-Conf-Exp-Anx110, pages 10 to 12.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 23 November 2002, in the [REDACTED] area of Bangui, she was beaten and raped in her house by three men of Jean-Pierre Bemba. She also alleges that they looted her house. As a result of the alleged events the applicant claims to have suffered material harm.³⁸⁰

Analysis and conclusions

The Chamber considers that the 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 house by the Banyamulengués of Jean-Pierre Bemba on 23 November 2002 in the [REDACTED] area, Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 March 2003, a column of Banyamulengués whom he also describes as the MLC soldiers of Jean-Pierre Bemba entered his house in the [REDACTED] area, Bangui. He alleges that the Banyamulengués fired in the air, threw him on the ground and sprayed a toxic substance in his eyes that caused the permanent loss of the sight. He also states that, at the same time, they

³⁷⁹ ICC-01/05-01/08-900-Conf-Exp-Anx111; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 222 to 223.

³⁸⁰ ICC-01/05-01/08-900-Conf-Exp-Anx111, pages 10 to 12.

³⁸¹ ICC-01/05-01/08-900-Conf-Exp-Anx116; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 232 to 233.

atrociously raped his wife. Lastly, he says that they looted his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸²

Analysis and conclusions

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that on 13 March 2003, the troops of Jean-Pierre Bemba arrived in the village of [REDACTED]. She alleges that, while she was trying to flee, she was captured, was thrown on the ground, was beaten up and was stolen all her belongings. She says that her house was also pillaged. As a result of the

³⁸² ICC-01/05-01/08-900-Conf-Exp-Anx116, pages 10 to 12, 19 to 21, 23.

³⁸³ ICC-01/05-01/08-900-Conf-Exp-Anx117; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 234 to 235.

alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸⁴

Analysis and conclusions

The Chamber considers that the 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 her house by the Banyamulengués of Jean-Pierre Bemba on 13 March 2003 in the village of [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 13 November 2002, on the way back to Bangui, near the checkpoint in [REDACTED] the troops of Jean-Pierre Bemba stopped the vehicle she was travelling in and ordered all the passengers to get off. She alleges that when she tried to run away, they blocked her, harassed her and raped her, causing a miscarriage. She also says that her belongings were stolen. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸⁶

Analysis and conclusions

³⁸⁴ ICC-01/05-01/08-900-Conf-Exp-Anx117, pages 10 to 12, 21.

³⁸⁵ ICC-01/05-01/08-900-Conf-Exp-Anx118; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 236 to 237.

³⁸⁶ ICC-01/05-01/08-900-Conf-Exp-Anx118, pages 10 to 12.

The Chamber considers that the 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 13 November 2002 near the postal gate in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués came to her house in [REDACTED]. She alleges that one of them threw her on the ground, took her clothes off and raped her. She states that she was also raped by 5 of them for more than 4 hours. She further says that 10 soldiers occupied her house until 15 March and held her as a sexual slave for the entire time. Lastly, the applicant states that the Banyamulengués killed and sold her [REDACTED] goats and looted all her goods. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸⁷

Analysis and conclusions

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

³⁸⁷ ICC-01/05-01/08-900-Conf-Exp-Anx119; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 238-239.

³⁸⁸ ICC-01/05-01/08-900-Conf-Exp-Anx119, 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 suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her goods by the Banyamulengués of Jean-Pierre Bemba on an unspecified date between 3 November 2002 and 15 March 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 3 November 2002, he took his cattle to the market in [REDACTED] to sell it. He alleges that the Banyamulengués attacked the market, took his money and ten of his oxen. He also alleges that they flogged him for a long time and that they killed other oxen while the rest of the cattle fled. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁹⁰

Analysis and conclusions

The Chamber considers that the 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 money and his cattle by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002, at the market in [REDACTED]

³⁸⁹ ICC-01/05-01/08-900-Conf-Exp-Anx120; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 240 to 241.

³⁹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx120, pages 9 to 11, 20.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 3 November 2002, in [REDACTED] the Banyamulengués entered her home and asked for her husband. She alleges that when she answered that he was at the market to sell his cattle, they asked for money and, once she refused, they looted her house. The applicant says that she was also tortured, and that the Banyamulengués took her husband's 39 oxen in the market, and her family now lives in poverty. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁹²

Analysis and conclusions

The Chamber considers that the 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 house by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

³⁹¹ ICC-01/05-01/08-900-Conf-Exp-Anx121; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 242 to 243.

³⁹² ICC-01/05-01/08-900-Conf-Exp-Anx121, pages 9 to 11, 19.

³⁹³ ICC-01/05-01/08-900-Conf-Exp-Anx122; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 244 to 245.

The applicant states that on 3 November 2002, in [REDACTED] [REDACTED] the Banyamulengués entered his home and asked for money. When he answered that he did not have any, they beat him with their belts, looted all his goods and took his car. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁹⁴

Analysis and conclusions

The Chamber considers that the 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 all his goods and his car by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The application is submitted by the daughter on behalf of her deceased mother.

It is stated that on 3 November 2002 the Banyamulengués of Jean-Pierre Bemba entered their house in [REDACTED] [REDACTED] and mistreated the applicant, throwing her against the wall and on the ground. It is said that she died 48 hours later as a consequence of her wounds. It is further alleged that the house was pillaged. As a result of the alleged events, the person acting on behalf of the applicant claims

³⁹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx122, pages 9 to 11, 20 to 21.

³⁹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx123; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 246 to 247.

that the applicant suffered physical and material harm. In addition, the person acting on behalf of the applicant claims that she has suffered psychological and material harm.³⁹⁶

Analysis and conclusions

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

The Chamber considers that, overall, sufficient evidence has been provided on behalf of the applicant to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in [REDACTED] [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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her mother and the pillage of her family's house, to the extent of her belongings, by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in [REDACTED]

Applicant [REDACTED] [REDACTED]

The claim to victim status

The applicant states that on 2 November 2003, in [REDACTED] [REDACTED] [REDACTED] she was at home with her grandchildren when the rebels of Jean-Pierre Bemba came in

³⁹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx123, pages 9 to 11, 20.

³⁹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx124; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 248 to 249.

search of food. She alleges that they looted everything. As a result of the alleged events, the applicant claims to have suffered material harm.³⁹⁸

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 November 2003, thus outside the temporal scope of the case. However, in light of the intrinsic coherence of the application as a whole, the 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 November 2002.

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 rebels of Jean-Pierre Bemba on 2 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 1 November 2002, approximately 15 armed Banyamulengués that he also describes as the men of Mr. Bemba entered his house located in [REDACTED]. He alleges that some of the Banyamulengués tied him and his son up and beat them, while the other Banyamulengués looted their

³⁹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx124, pages 9 to 11, 19.

³⁹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx143; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 286 to 287.

belongings. The applicant values his loss in his application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰⁰

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 2 November 2002, the Banyamulengués troops broke into his house, located in [REDACTED] and pillaged his belongings, which he values in his application. In addition, the applicant states that the men of Jean-Pierre Bemba wanted to rape the applicant's daughter. However one of the soldiers refused and the Banyamulengués left. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰²

Analysis and conclusions

⁴⁰⁰ ICC-01/05-01/08-900-Conf-Exp-Anx143, pages 10 to 12.

⁴⁰¹ ICC-01/05-01/08-900-Conf-Exp-Anx145; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 290 to 291.

⁴⁰² ICC-01/05-01/08-900-Conf-Exp-Anx145, pages 10 to 12.

The Chamber considers that the 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 2 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 3 November 2002 she was raped by 4 Banyamulengués, whom she also refers to as the soldiers of Jean-Pierre Bemba, close to the [REDACTED] market. She further contends that these men took all her money. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁰⁴

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in [REDACTED]

⁴⁰³ ICC-01/05-01/08-900-Conf-Exp-Anx148; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 296 to 297.

⁴⁰⁴ ICC-01/05-01/08-900-Conf-Exp-Anx148, pages 10 to 12.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 1 November 2002, while she was at home with her sick husband, the men of Jean Pierre Bemba broke into their house, located in [REDACTED] in the [REDACTED] area and looted their property. In addition, the applicant also claims that she was raped by 5 Banyamulengués. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁰⁶

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 1 November 2002 the Banyamulengués troops stopped him while he was on a motorbike in [REDACTED] The applicant alleges that he

⁴⁰⁵ ICC-01/05-01/08-900-Conf-Exp-Anx152; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 304 to 305.

⁴⁰⁶ ICC-01/05-01/08-900-Conf-Exp-Anx152, pages 10 to 12.

⁴⁰⁷ ICC-01/05-01/08-900-Conf-Exp-Anx154; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 308 to 309.

was threatened with a gun and beaten and that his belongings, his money and the motorbike were looted. The applicant lists and values his loss. As a result of the alleged events the applicant claims to have suffered physical and material harm.⁴⁰⁸

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 1 November 2002, while he was in his uncle's house, located in the [REDACTED] area of [REDACTED] where he was living together with his older brothers, the Banyamulengués troops entered the concession, beat the applicant and completely looted the house. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴¹⁰

Analysis and conclusions

⁴⁰⁸ ICC-01/05-01/08-900-Conf-Exp-Anx154, pages 10 to 12.

⁴⁰⁹ ICC-01/05-01/08-900-Conf-Exp-Anx155; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 310 to 311.

⁴¹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx155, pages 10 to 12.

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

The Chamber notes that the applicant refers to the pillage of his uncle's house; however, the applicant states that the house has been completely pillaged. Therefore the Chamber considers that for the purposes of the current assessment and in light of the particular standard applicable at this stage of the proceedings, it can be presumed that his personal belongings were included amongst the pillaged goods.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 uncle's house, only to the extent that his belongings are concerned, by the Banyamulengués of Jean-Pierre Bemba on 1 November 2002 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that in the night of 1 November 2002 the Banyamulengués troops of Jean Pierre Bemba encircled the [REDACTED] area in [REDACTED] and, out of fear, the inhabitants had to lock themselves in their houses. He further claims that he and his family could hear the crying and screaming of the women being raped. The applicant contends that the Banyamulengués broke into their house, where he, his wife and their children were hiding, fired some bullets in order to intimidate them and looted their belongings. In addition, the applicant claims

⁴¹¹ ICC-01/05-01/08-900-Conf-Exp-Anx160; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 320 to 321.

that, as a result of the attack, he has numerous health problems, among which respiratory problems. The applicant provided various medical documents. As a result of the alleged events, the applicant claims to have suffered physical, psychological, material harm.⁴¹²

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant, a poultry farmer, claims that on 15 March 2003, during their systematic attacks on three areas of Bangui, the Banyamulengués broke into her domicile and asked her to give them all her money and when she refused to comply with their demand, some of the soldiers started beating the applicant's husband, while the others threw her on the floor and 4 men raped the applicant and forced her husband to watch. The applicant further claims that they then looted some of their belongings, which the applicant lists and values. As a result

⁴¹² ICC-01/05-01/08-900-Conf-Exp-Anx160, pages 10 to 12.

⁴¹³ ICC-01/05-01/08-900-Conf-Exp-Anx166; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 332 to 333.

of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴¹⁴

Analysis and conclusions

The Chamber considers that the 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 15 March 2003 in Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant claims that when returning to his house from the bush, where he had fled to after the coup of 25 October 2002, he found that all his belongings had been looted by the men of Jean Pierre Bemba. He further claims that his store in [REDACTED] was pillaged. The applicant lists and values his loss. The applicant declares that the events took place as from 28 October 2002. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴¹⁶

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

⁴¹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx166, pages 9 to 11.

⁴¹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx167; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 334 to 335.

⁴¹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx167, pages 9 to 11.

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 alleged pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] from on or about 28 October 2002.

Applicant [REDACTED]

The claim to victim status

The applicant claims that, on 23 December 2002, in [REDACTED] the Banyamulengués came to his house, threatened him with their weapons and looted all his furniture and belongings, which the applicant lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴¹⁸

Analysis and conclusions

The Chamber considers that the 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

⁴¹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx168; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 336 to 337.

⁴¹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx168, pages 9 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 23 December 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that, around 22 October 2002, Jean-Pierre Bemba's men came into his house in [REDACTED] firing their guns. He alleges that they shot him three times on the buttock and tortured him until they broke his arm and caused him a cerebral trauma. The applicant further claims that they also tortured his daughter because she tried to help her own daughter, who was being raped, and, as a result, his daughter died. He also alleges that his 18 years old brother in law, who was trying to run away, was shot to death. His wife and children were taken hostages to work on their military base. The applicant also contends that the Banyamulengués stole his furniture and motorcycles. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴²⁰

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 his alleged daughter, brother in law and grand-daughter. Therefore, the harm alleged by the

⁴¹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx169; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 338 to 339.

⁴²⁰ ICC-01/05-01/08-900-Conf-Exp-Anx169, pages 9 to 11.

applicant as a result of the rape of his grand-daughter and of the killing of his daughter and brother in law will not be assessed by the Chamber.

The Chamber notes that the date of the alleged events provided by the applicant (22 October 2002) falls 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 exact date of the events in such circumstances should not serve to exclude the applicant. Accordingly, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba around 22 October 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that, in November 2002, Jean-Pierre Bemba's militia men, on their way back from Damara, entered her area of [REDACTED] Bangui, and chased her out of her house. The applicant further contends that they looted all her goods, including her personal belongings, business assets, money and administrative papers. The applicant also claims that the Banyamulengués damaged her house by perforating the walls with bullets. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²²

⁴²¹ ICC-01/05-01/08-900-Conf-Exp-Anx170; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 340 to 341.

⁴²² ICC-01/05-01/08-900-Conf-Exp-Anx170, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 November 2002 in Bangui.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 7 November 2002, Jean-Pierre Bemba's armed men came to her house in [REDACTED] and forced her and her family to flee 20 km away in the fields. The applicant further claims that the men occupied her house for the period they remained in [REDACTED], and looted all the goods they found in the house, as well as in her store, taking away all her means of subsistence. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴²⁴

Analysis and conclusions

The Chamber considers that the 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

⁴²³ ICC-01/05-01/08-900-Conf-Exp-Anx171; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 342 to 343.

⁴²⁴ ICC-01/05-01/08-900-Conf-Exp-Anx171, pages 9 to 11.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba notably on 7 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that, as of 28 October 2002, the men of Jean-Pierre Bemba have looted her house, and looted and destroyed her boutique in [REDACTED]

The applicant lists and values her loss. She further claims that she was tortured by the Banyamulengués and, as a result, she lost twelve teeth. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴²⁶

Analysis and conclusions

The Chamber considers that the 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 as of 28 October 2002 in [REDACTED]

Applicant [REDACTED]

⁴²⁵ ICC-01/05-01/08-900-Conf-Exp-Anx172; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 344 to 345.

⁴²⁶ ICC-01/05-01/08-900-Conf-Exp-Anx172, pages 9 to 11.

⁴²⁷ ICC-01/05-01/08-900-Conf-Exp-Anx173; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 346 to 347.

The claim to victim status

The applicant claims that in November 2002, the Banyamulengués occupied his house in [REDACTED] for several days and looted all his goods, which the applicant lists and values. The applicant further contends that the Banyamulengués damaged his house and his henhouse. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

The claim to victim status

The applicant claims that, on 8 December 2002, when [REDACTED] was occupied by the Banyamulengués, he was the victim of an armed attack of ten of Jean-Pierre Bemba's militia men and women at his home in [REDACTED]. The applicant claims that they made him lie on the floor with his eyes closed and threatened him they will shot him if he moves and they looted his goods, including his furniture and

⁴²⁸ ICC-01/05-01/08-900-Conf-Exp-Anx173, pages 9 to 11.

⁴²⁹ ICC-01/05-01/08-900-Conf-Exp-Anx174; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 348 to 349.

his motorcycle. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴³⁰

Analysis and conclusions

The Chamber considers that the 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 8 December 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant alleges that on 2 November 2002, the Mai-Mai soldiers of Jean-Pierre Bemba broke into his house, located in the [REDACTED] area of [REDACTED]. He contends that the soldiers were speaking Lingala, and, to an extent, French. The applicant claims that they asked him for money and the applicant gave them all the money related to his business; then, the soldiers started pillaging his house. The applicant lists and values his loss. The applicant further claims that his younger brother tried to stand up to the soldiers and he was shot dead. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴³²

⁴³⁰ ICC-01/05-01/08-900-Conf-Exp-Anx174, pages 10 to 11, 19 to 20.

⁴³¹ ICC-01/05-01/08-900-Conf-Exp-Anx175; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 350 to 351.

⁴³² ICC-01/05-01/08-900-Conf-Exp-Anx175, pages 9 to 11.

Analysis and conclusions

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

The Chamber however underlines that although the applicant has provided the death certificate of his alleged brother, he has not provided any documents to demonstrate their relationship. Therefore, the harm alleged by the applicant as a result of the killing of his brother will not be assessed by the Chamber.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 2 November 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on or about 3 November 2002, the Banyamulengués entered her plot located in [REDACTED] shooting bullets to intimidate them. She claims that the soldiers came to her house while her husband was away. The applicant further claims that the soldiers, who were speaking Lingala, asked her for money and she said she did not have any. However the Banyamulengués looted her goods, which the applicant lists and values, and when they found some money hidden in a box they started beating the applicant. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴³⁴

⁴³³ ICC-01/05-01/08-900-Conf-Exp-Anx176; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 352 to 353.

⁴³⁴ ICC-01/05-01/08-900-Conf-Exp-Anx176, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 or about 3 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, after taking [REDACTED] the Banyamulengués entered her concession, located in the [REDACTED] area of the Sub-prefecture of [REDACTED]. She says that they drove her and her husband out of their house, forcing them to sleep under a mango tree in their concession. She adds that three days after the alleged events, the Banyamulengués ordered her husband to go to the neighbour's concession to break the door and the windows in order to pillage all the property he found there; as her husband refused, they took a big stick and started beating him, fracturing his pelvis. The applicant alleges that this was the cause of his eventual death in December 2009. She further states that they pillaged all their belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴³⁶

⁴³⁵ ICC-01/05-01/08-900-Conf-Exp-Anx177; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 354 to 355.

⁴³⁶ ICC-01/05-01/08-900-Conf-Exp-Anx177, pages 9 to 11, 21.

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 and on the following days in the [REDACTED] area, in the Sub-prefecture of [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 3 January 2003, the Banyamulengués entered the applicant's family house, located in the [REDACTED] area, and pointed their guns at her while two soldiers started raping her and other soldiers were beating her mother; they also pillaged all the belongings in the house. The person acting on behalf lists and values the loss. It is further claimed that after the alleged events the applicant's mother took her to the [REDACTED] [REDACTED] to run some biological tests which proved she had been infected with HIV and syphilis in a primary phase. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant suffered physical harm. Furthermore, the person acting on

⁴³⁷ ICC-01/05-01/08-900-Conf-Exp-Anx178; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 356 to 357.

behalf of the applicant claims to have suffered psychological and material harm.⁴³⁸

Analysis and conclusions

The Chamber notes that the only document attached to the application in relation to the identity of the applicant is a medical certificate stating the applicant's name, which corresponds to the name of her mother. In addition, a picture of the funerals is attached thereto. Thus, in light of the intrinsic coherence of this information, the Chamber is of the view that, on the basis of the application as a whole, the identity of the applicant, as well as her relationship with her mother, who is acting on her behalf, is proven for the purposes of this analysis.

The Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, notably her rape by the Banyamulengués of Jean-Pierre Bemba on 3 January 2003 in [REDACTED]. The Chamber further considers that, overall, the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the rape of her daughter and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 3 January 2003 in [REDACTED].⁴³⁹

Applicant [REDACTED]

Claim to victim status

⁴³⁸ ICC-01/05-01/08-900-Conf-Exp-Anx178, pages 9 to 11.

⁴³⁹ ICC-01/05-01/08-900-Conf-Exp-Anx178, page 21.

⁴⁴⁰ ICC-01/05-01/08-900-Conf-Exp-Anx179; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 358 to 359.

The applicant states that on 3 November 2002, the Banyamulengués entered her concession, located in the [REDACTED] area, asked her for money and when she told them she did not have any, they started beating her, while some other soldiers pillaged her belongings. She alleges that they found and looted a briefcase containing money, which belonged to some Chadian shepherds, who hid it at her place. She adds that when she protested against their acts, they started shooting and she escaped; upon her return, she discovered that all her belongings had been pillaged. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁴¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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, to the extent her belongings are concerned, by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

⁴⁴¹ ICC-01/05-01/08-900-Conf-Exp-Anx179, pages 9 to 11.

⁴⁴² ICC-01/05-01/08-900-Conf-Exp-Anx180; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 360 to 361.

The applicant states that on 15 March 2003, the Mai-Mai combatants of Jean-Pierre Bemba came from [REDACTED] to [REDACTED]. The applicant claims that he and his father decided to seek refuge in [REDACTED] and on their way there, they encountered another base of the Mai-Mai combatants, in the [REDACTED] area, and they were stopped by the soldiers. He adds that the Banyamulengués and the Mai-Mai started assaulting his father, accusing him of being a rebel and they shot and killed his father in front of him. He further alleges that later, the combatants took all their belongings, which he lists and values. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁴³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, his deceased father as well as the kinship between them.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués took control over [REDACTED]. She says that her husband took their children and fled, because they

⁴⁴³ ICC-01/05-01/08-900-Conf-Exp-Anx180, pages 9 to 11.

⁴⁴⁴ ICC-01/05-01/08-900-Conf-Exp-Anx181; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 362 to 363.

heard that Jean-Pierre Bemba gave his men the order to kill all the male population between 10 and 50 years old. She alleges that when she was getting ready to go to the market to sell her merchandise, the Banyamulengués entered her concession, located in the [REDACTED] area, and asked her for money and when she replied she did not have any, they started beating her and looted all her belongings, which she lists and values. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁴⁵

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués took control over [REDACTED] and entered her house, located in the [REDACTED] area. She says that her husband had fled before their arrival, and that they started beating and torturing her because they asked her for money and she replied she did not have any. She alleges that they looted her belongings, destroyed her property and ate her

⁴⁴⁵ ICC-01/05-01/08-900-Conf-Exp-Anx181, pages 9 to 11.

⁴⁴⁶ ICC-01/05-01/08-900-Conf-Exp-Anx182; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 364 to 365.

animals. The applicant lists and values her loss. In addition, she states that they forced her to leave the house. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁴⁷

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 3 November 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, when he was 14 years old, the Banyamulengués entered his house, located in the [REDACTED] area, and beat and tortured him and his mother for more than 4 hours. The applicant alleges that the following day, the Banyamulengués returned to their house with a vehicle and looted all their property, including construction material. The applicant lists and values his loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁴⁹

Analysis and conclusions

⁴⁴⁷ ICC-01/05-01/08-900-Conf-Exp-Anx182, pages 9 to 11.

⁴⁴⁸ ICC-01/05-01/08-900-Conf-Exp-Anx183; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 366 to 367.

⁴⁴⁹ ICC-01/05-01/08-900-Conf-Exp-Anx183, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 family's house, to the extent of his belongings, by the Banyamulengués of Jean-Pierre Bemba on 5 November 2002 in the [REDACTED] quarter.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 3 November 2002, the Banyamulengués of Jean-Pierre Bemba entered the applicant's house, located in the [REDACTED] area, raped the applicant's daughter and savagely beat the applicant when she tried to protect her daughter. It is further stated that the Banyamulengués looted the applicant's belongings, which are listed and valued, as well as the money of the applicant's son that she was hiding in the house. Finally, it is stated that, as a result of the alleged events, the applicant suffered a stroke which eventually led to her death in 2006. As a result of the alleged events, the person acting on behalf claims that the applicant suffered physical and material harm. Furthermore, the person acting on behalf of the applicant also claims to have suffered physical and psychological harm as a

⁴⁵⁰ ICC-01/05-01/08-900-Conf-Exp-Anx184; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 368 to 369.

result of her rape, the death of her mother and the murder of her brother, and material harm as a result of the pillage of the family house.⁴⁵¹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate sufficiently the identity of the applicant and the identity of and relationship with her daughter, who acts on her behalf.

The Chamber underlines that the person acting on behalf has not provided any documents to demonstrate the identity of her alleged brother and their relationship. Therefore, the harm alleged by the person acting on behalf as a result of the death of her brother will not be assessed by the Chamber.

The Chamber considers that, overall, the person acting on behalf of the deceased applicant has provided sufficient evidence to establish *prima facie* that the applicant is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the rape of her daughter and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in the [REDACTED] area.

The Chamber is of the view that the person acting on behalf of the deceased applicant has also provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 3 November 2002 in the [REDACTED] area.⁴⁵²

⁴⁵¹ ICC-01/05-01/08-900-Conf-Exp-Anx184, pages 9 to 11.

⁴⁵² ICC-01/05-01/08-900-Conf-Exp-Anx184, page 9.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 1 November 2002, the applicant decided to move to [REDACTED] with his cattle and on his way there, [REDACTED] kilometers away from Bangui, in the Prefecture of Ombella M'Poko, the applicant and two other shepherds were intercepted and killed by the Banyamulengués who were coming from [REDACTED]

[REDACTED] It is further added that they killed part of the cattle herd. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant suffered physical and material harm. Furthermore, the person acting on behalf of the applicant states that she still suffers from intrusive thoughts as a result of her rape, the murder of her father and the death of her brother.⁴⁵⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate sufficiently the identity of the applicant and the relationship with his daughter, who acts on his behalf.

The Chamber underlines that the person acting on behalf has not provided any information with regard to her alleged rape and the alleged death of her brother. Furthermore, the Chamber notes that she did not provide any document to demonstrate the identity of her alleged brother and their relationship. Therefore, the harm alleged by the person acting on behalf as a result of her rape and the death of her brother will not be assessed by the Chamber.

⁴⁵³ ICC-01/05-01/08-900-Conf-Exp-Anx185; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 370 to 371.

⁴⁵⁴ ICC-01/05-01/08-900-Conf-Exp-Anx185, pages 9 to 11.

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 livestock by the Banyamulengués of Jean-Pierre Bemba on 1 November 2002, ■ kilometres away from Bangui, in the Prefecture of Ombella M'Poko.

The Chamber further notes that the person acting on behalf of the deceased applicant has also provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her father and the pillage of their belongings by the Banyamulengués of Jean-Pierre Bemba on 1 November 2002, ■ kilometres away from Bangui, in the Prefecture of Ombella M'Poko. 0.

Applicant ■■■

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués entered her concession, located in the ■ area, ■ km away from Bangui. She alleges that the soldiers asked her for money and, when she replied she did not have any, they started searching her home. The applicant states that when they found her hidden money they beat her until she fell. Further, she adds that other soldiers looted all her belongings, which she lists and values. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴⁵⁶

⁴⁵⁵ ICC-01/05-01/08-900-Conf-Exp-Anx186; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 372 to 373.

⁴⁵⁶ ICC-01/05-01/08-900-Conf-Exp-Anx186, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 3 November 2002 in the [REDACTED] area.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, he, his family and other people who were taking refuge in his house were forced to flee to the bush, because the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] firing at the walls. He further states that the group of soldiers occupied his house for a period of five months, looting all his property and destroying his crops and livestock. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁵⁸

Analysis and conclusions

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

⁴⁵⁷ ICC-01/05-01/08-900-Conf-Exp-Anx187; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 374 to 375.

⁴⁵⁸ ICC-01/05-01/08-900-Conf-Exp-Anx187, 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 8 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, he had to flee to his father's house, located in [REDACTED] [REDACTED] because the troops of Jean-Pierre Bemba arrived in Bangui and entered his house, located in [REDACTED]. He further alleges that they looted all his belongings and occupied his domicile for a period of three months. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶⁰

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED]

⁴⁵⁹ ICC-01/05-01/08-900-Conf-Exp-Anx188; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 376 to 377.

⁴⁶⁰ ICC-01/05-01/08-900-Conf-Exp-Anx188, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that from 28 October 2002, the soldiers of Jean-Pierre Bemba had control over [REDACTED] and [REDACTED]. He alleges that he was forced to flee to the bush. He claims that upon his return, he discovered that his house and his shop had been looted; he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶²

Analysis and conclusions

The Chamber considers that the 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 28 October 2002 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, Bemba's troops arrived in [REDACTED]. [REDACTED] He alleges that the Banyamulengués broke into his house and 4 men raped his wife, one after the other, in front of him and his children. He adds that the Banyamulengués occupied his house and he and his family were forced to flee to

⁴⁶¹ ICC-01/05-01/08-900-Conf-Exp-Anx189; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 378 to 379.

⁴⁶² ICC-01/05-01/08-900-Conf-Exp-Anx189, pages 9 to 11, 18.

⁴⁶³ ICC-01/05-01/08-900-Conf-Exp-Anx190; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 380 to 381.

Boali, where they lived with his family in law for a period of six months. The applicant states that the Banyamulengués pillaged his belongings, which he lists and values. Furthermore, the applicant mentions that his wife contracted HIV and she died and that he is also infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶⁴

Analysis and conclusions

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

The Chamber underlines that, although the applicant has provided a death certificate and a medical document to demonstrate the identity of his alleged wife, he did not provide any document to demonstrate their relationship. Therefore, the harm alleged by the applicant as a result of the rape of his wife will not be assessed by the Chamber.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 1 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

⁴⁶⁴ ICC-01/05-01/08-900-Conf-Exp-Anx190, pages 9 to 11, 18 to 19.

⁴⁶⁵ ICC-01/05-01/08-900-Conf-Exp-Anx191; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 382 to 383.

The applicant states that on 28 October 2002, the soldiers of Jean-Pierre Bemba arrived in [REDACTED]. She says that they broke into her house and assaulted and tortured her and her sons. She further alleges that the armed men looted her house and her shop, which was her only source of income. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶⁶

Analysis and conclusions

The Chamber considers that the 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 28 October 2002 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that from 28 October 2002, the soldiers of Jean-Pierre Bemba had control over [REDACTED] and [REDACTED]. She alleges that she was forced to flee to the bush and, upon her return, she discovered that her house had been looted. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶⁸

⁴⁶⁶ ICC-01/05-01/08-900-Conf-Exp-Anx191, pages 9 to 11, 19.

⁴⁶⁷ ICC-01/05-01/08-900-Conf-Exp-Anx192; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 384 to 385.

⁴⁶⁸ ICC-01/05-01/08-900-Conf-Exp-Anx192, pages 9 to 11, 18.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 28 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] and forced him and his family to flee. He further states that the soldiers occupied his house for a period of five months and looted all his property, that he lists and values, including his merchandise and his poultry. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁰

Analysis and conclusions

The Chamber considers that the 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

⁴⁶⁹ ICC-01/05-01/08-900-Conf-Exp-Anx193; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 386 to 387.

⁴⁷⁰ ICC-01/05-01/08-900-Conf-Exp-Anx193, pages 9 to 11, 18.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, when the armed men of Jean-Pierre Bemba entered his farm, located in [REDACTED] shooting at the walls, he and his family fled to the neighboring village of [REDACTED] before finally settling in [REDACTED]. He further claims that Bemba's soldiers occupied his house and his farm, looted them and consumed his entire livestock. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷²

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in [REDACTED]

Applicant [REDACTED]

⁴⁷¹ ICC-01/05-01/08-900-Conf-Exp-Anx194; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 388 to 389.

⁴⁷² ICC-01/05-01/08-900-Conf-Exp-Anx194, pages 9 to 11, 18.

⁴⁷³ ICC-01/05-01/08-900-Conf-Exp-Anx195; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 390 to 391.

Claim to victim status

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba entered his house shooting at the walls and he and his family were forced to flee. He further states that the soldiers occupied his house for a period of five months, looted all his property, which he lists and values, and destroyed the doors and windows of his house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁴

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the armed men of Jean-Pierre Bemba broke into his house, located in [REDACTED] and he and his family were forced to flee. He further alleges that the armed men occupied his house for a period of five months, looted all his property, which he lists and values, and

⁴⁷⁴ ICC-01/05-01/08-900-Conf-Exp-Anx195, pages 9 to 11, 20.

⁴⁷⁵ ICC-01/05-01/08-900-Conf-Exp-Anx196; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 392 to 393.

destroyed the doors and windows of his house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁶

Analysis and conclusions

The Chamber considers that the 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 2 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] and he fled to the fields in order to seek refuge. The applicant claims that the Banyamulengués pillaged his belongings that he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁸

Analysis and conclusions

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

⁴⁷⁶ ICC-01/05-01/08-900-Conf-Exp-Anx196, pages 9 to 11, 18.

⁴⁷⁷ ICC-01/05-01/08-900-Conf-Exp-Anx197; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 394 to 395.

⁴⁷⁸ ICC-01/05-01/08-900-Conf-Exp-Anx197, pages 9 to 11, 18.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is 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 8 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] [REDACTED] shooting at the walls, and forced him to flee. He claims to have sought refuge in the fields, in the [REDACTED] village. The applicant states that the armed men occupied his house for a period of 5 months and looted all his property, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸⁰

Analysis and conclusions

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

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

⁴⁷⁹ ICC-01/05-01/08-900-Conf-Exp-Anx198; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 396 to 397.

⁴⁸⁰ ICC-01/05-01/08-900-Conf-Exp-Anx198, pages 9 to 11, 18.

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 8 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, the men of Jean-Pierre Bemba entered his house, located in [REDACTED] and looted his property, including a truck. He further alleges that on 6 November 2002, when he and his family were living in his second house, located in [REDACTED] [REDACTED] Bemba's men entered the house and looted his property. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸²

Analysis and conclusions

The Chamber considers that the 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 1 and 6 November 2002 in [REDACTED] and [REDACTED] respectively.

⁴⁸¹ ICC-01/05-01/08-900-Conf-Exp-Anx199; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 398 to 399.

⁴⁸² ICC-01/05-01/08-900-Conf-Exp-Anx199, pages 9 to 11, 18.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in the [REDACTED] village, [REDACTED]. He alleges that they fired at the walls, hit him and forced him and his family to leave the house. He adds that they fled to the fields in order to seek refuge. He further states that the soldiers occupied his domicile for five months and looted his house and his shop, located in [REDACTED]. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁸⁴

Analysis and conclusions

The Chamber considers that the 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 2 November 2002 in [REDACTED] and in [REDACTED].

Applicant [REDACTED]

Claim to victim status

⁴⁸³ ICC-01/05-01/08-900-Conf-Exp-Anx200; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 400 to 401.

⁴⁸⁴ ICC-01/05-01/08-900-Conf-Exp-Anx200, pages 9 to 11, 18 to 20.

⁴⁸⁵ ICC-01/05-01/08-900-Conf-Exp-Anx201; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 402 to 403.

The applicant states that on 5 November 2002, when the armed men of Jean-Pierre Bemba entered his house, located in the [REDACTED] area of [REDACTED] shooting at the walls, he and his family fled. He further alleges that the soldiers occupied his house for a period of 5 months and looted all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸⁶

Analysis and conclusions

The Chamber notes a discrepancy of four years between the date of birth as appearing in the application form and the date of birth provided on the national identity card attached thereto. However, given that the name of the applicant provided in the national identity card is consistent with the name entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 5 November 2002 in [REDACTED] [REDACTED].

Applicant [REDACTED] [REDACTED]

Claim to victim status

⁴⁸⁶ ICC-01/05-01/08-900-Conf-Exp-Anx201, pages 9 to 11, 18 to 19.

⁴⁸⁷ ICC-01/05-01/08-900-Conf-Exp-Anx202; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 404 to 405.

The applicant states that on 1 November 2002, he and his family were forced to flee by Bemba's armed men, who entered his house, located in [REDACTED] [REDACTED] shooting at the walls. He further alleges that the soldiers occupied his house for a period of five months and looted all his property, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸⁸

Analysis and conclusions

The Chamber notes a discrepancy of five years between the date of birth as appearing in the application form and the date of birth provided on the professional card attached thereto. However, given that the remainder of the information provided in the professional card is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

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

Applicant [REDACTED] [REDACTED]

Claim to victim status

⁴⁸⁸ ICC-01/05-01/08-900-Conf-Exp-Anx202, pages 9 to 11, 18.

⁴⁸⁹ ICC-01/05-01/08-900-Conf-Exp-Anx203; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 406 to 407.

The applicant states that on 3 November 2002, he and his family were forced to flee to the fields seeking refuge because the armed men of Jean-Pierre Bemba entered his house located in [REDACTED] [REDACTED]. He further alleges that the armed men occupied his house for a period of over five months, looted all his property, which he lists and values, and destroyed his shop. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁰

Analysis and conclusions

The Chamber considers that the 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 3 November 2002 in [REDACTED].

Applicant [REDACTED] [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, he and his family were forced to flee to the field to take refuge for a period of over five months, because the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] and evicted them. He alleges that they looted his belongings, which he lists and values. As a

⁴⁹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx203, pages 9 to 11.

⁴⁹¹ ICC-01/05-01/08-900-Conf-Exp-Anx204; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 408 to 409.

result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹²

Analysis and conclusions

The Chamber considers that the 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 2 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED] and drove him and his family out. Further, he alleges that the men occupied his house over a period of five months and looted all his property, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁴

Analysis and conclusions

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

⁴⁹² ICC-01/05-01/08-900-Conf-Exp-Anx204, pages 9 to 11.

⁴⁹³ ICC-01/05-01/08-900-Conf-Exp-Anx205; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 410 to 411.

⁴⁹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx205, 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 6 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 4 November 2002, he and his family were forced to flee to the fields to seek refuge, because the armed men of Jean-Pierre Bemba had entered his house, located in [REDACTED] and drove them out. He further alleges that the soldiers occupied his house for a period of over five months and looted all his property, which he lists and values. As a result of the alleged events, the applicant claims that to have suffered psychological and material harm.⁴⁹⁶

Analysis and conclusions

The Chamber considers that the 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 4 November 2002 in [REDACTED]

⁴⁹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx206; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 412 to 413.

⁴⁹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx206, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, she fled to the bush because the Banyamulengués had entered her house, located in [REDACTED] and driven her out. She further alleges that they looted all her property, including her merchandise and money. She lists and values the stolen goods. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁸

Analysis and conclusions

The Chamber considers that the 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 8 November 2002 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, the Banyamulengués entered her house, located in [REDACTED] and threatened her in order to obtain money. She says that her four sons tried to oppose the threats. The applicant alleges that the soldiers then surrounded her concession and started shooting in the air, thus,

⁴⁹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx207; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 414 to 415.

⁴⁹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx207, pages 9 to 11.

⁴⁹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx208; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 416 to 417.

they were forced to flee to the bush. She further states that they looted all her property, including her merchandise and money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰⁰

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 an unspecified date as of 30 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 November 2002, the Banyamulengués entered his house, located in [REDACTED]. He claims that they asked him for money but as he replied that he did not have any, they started torturing him. He further alleges that the soldiers looted and occupied his house for two weeks. As a result of the

⁵⁰⁰ ICC-01/05-01/08-900-Conf-Exp-Anx208, pages 9 to 11.

⁵⁰¹ ICC-01/05-01/08-900-Conf-Exp-Anx209; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 418 to 419.

alleged events, the applicant claims to have suffered physical and material harm.⁵⁰²

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 an unspecified date as of 7 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 and 30 October 2002, during his absence, the Banyamulengués entered his house, located in [REDACTED] forcing his family to flee to the bush with the help of their friends. He further alleges that the soldiers looted all his property, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰⁴

Analysis and conclusions

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

⁵⁰² ICC-01/05-01/08-900-Conf-Exp-Anx209, pages 9 to 11.

⁵⁰³ ICC-01/05-01/08-900-Conf-Exp-Anx210; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 420 to 421.

⁵⁰⁴ ICC-01/05-01/08-900-Conf-Exp-Anx210, 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 29 and 30 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, she was forced to flee because the Banyamulengués entered her house, located in [REDACTED]. She alleges that they raped her daughter and looted all her property and everything she had to live on during her retirement. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁰⁶

Analysis and conclusions

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

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

⁵⁰⁵ ICC-01/05-01/08-900-Conf-Exp-Anx211; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 422 to 423.

⁵⁰⁶ ICC-01/05-01/08-900-Conf-Exp-Anx211, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, the Banyamulengués broke into his house, located in [REDACTED]. He alleges that Jean-Pierre Bemba's men tied him up, tortured him and injured his leg. He says that they also beat his children and killed his wife after raping her in front of him. He states that they looted his property, including his hardware tools. He further contends that they ate his food and porks, and made firewood out of his beds. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁰⁸

Analysis and conclusions

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

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

⁵⁰⁷ ICC-01/05-01/08-900-Conf-Exp-Anx212; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 424 to 425.

⁵⁰⁸ ICC-01/05-01/08-900-Conf-Exp-Anx212, pages 9 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 29 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, the Banyamulengués arrived at his shop in [REDACTED]. He alleges that they asked him to go away and, once he refused, they started firing at his shop and then beat him with their guns when he was on the floor. He further asserts that while he was unconscious, they looted all his property including his money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁰

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 28 October 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

⁵⁰⁹ ICC-01/05-01/08-900-Conf-Exp-Anx213; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 426 to 427.

⁵¹⁰ ICC-01/05-01/08-900-Conf-Exp-Anx213, pages 9 to 11.

⁵¹¹ ICC-01/05-01/08-900-Conf-Exp-Anx214; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 428 to 429.

The applicant states that on 7 November 2002, the applicant fled to the bush due to the arrival of the Banyamulengués. He alleges that upon his return, he discovered that his house, located in the [REDACTED] area of [REDACTED] had been looted. He claims that the Banyamulengués pillaged everything with the purpose of taking the loot to the DRC. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵¹²

Analysis and conclusions

The Chamber considers that the 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 7 November 2002 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, the Banyamulengués entered his house, located in [REDACTED] slapped him and beat his son. He alleges that, as a consequence, he fled to the bush in [REDACTED] and, upon his return, he discovered that his property had been looted, including all his savings. As a result of the

⁵¹² ICC-01/05-01/08-900-Conf-Exp-Anx214, pages 9 to 12.

⁵¹³ ICC-01/05-01/08-900-Conf-Exp-Anx215; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 430 to 431.

alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁴

Analysis and conclusions

The Chamber considers that the 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 8 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 November 2002, [REDACTED] and [REDACTED] were occupied by the Banyamulengués. He alleges that the soldiers stopped him and tortured him, despite the presence of CAR authorities. He says that as a consequence, he was forced to flee to the bush with his family. He adds that his house, located in [REDACTED], was looted by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵¹⁶

Analysis and conclusions

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

⁵¹⁴ ICC-01/05-01/08-900-Conf-Exp-Anx215, pages 9 to 11.

⁵¹⁵ ICC-01/05-01/08-900-Conf-Exp-Anx216; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 432 to 433.

⁵¹⁶ ICC-01/05-01/08-900-Conf-Exp-Anx216, 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 7 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, the applicant fled to the bush with his children because the Banyamulengués entered his house, located in [REDACTED]. He alleges that they looted all his property, which he lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.⁵¹⁸

Analysis and conclusions

The Chamber considers that the 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 6 November 2002 in [REDACTED]

Applicant [REDACTED]

⁵¹⁷ ICC-01/05-01/08-900-Conf-Exp-Anx217; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 434 to 435.

⁵¹⁸ ICC-01/05-01/08-900-Conf-Exp-Anx217, pages 9 to 11.

⁵¹⁹ ICC-01/05-01/08-900-Conf-Exp-Anx218; ICC-01/05-01/08-904-Conf-Exp-Anx3, pages 436 to 437.

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués entered his hardware shop, located in [REDACTED] at [REDACTED]. He says that, over a period of five hours, he and his younger brothers were beaten and tortured. He further alleges that they looted his hardware shop and later, his house. Consequently, he was forced to flee to the bush with his family. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵²⁰

Analysis and conclusions

The Chamber considers that the 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 1 November 2002 in [REDACTED].

⁵²⁰ ICC-01/05-01/08-900-Conf-Exp-Anx218, pages 9 to 11.