

ANNEX B

Group B: Damara/Sibut

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 February 2003, the MLC soldiers of Jean-Pierre Bemba invaded [REDACTED]. On 15 February 2003 they pillaged the applicant's house and the applicant fled to the bush together with his family. His daughter fell from the stairs and she got injured. He says that his daughter died soon afterwards because of the injuries and the lack of proper medical care. The applicant and his family stayed in the bush for three days and when they returned to their house in [REDACTED] they found that it had been pillaged and destroyed. He says that they then moved to Bangui where they currently live. 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.

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

¹ ICC-01/05-01/08-796-Conf-Exp-Anx149.

² ICC-01/05-01/08-796-Conf-Exp-Anx149, page 26.

result of crimes confirmed against the accused, namely the alleged pillage of his possessions on 15 February 2003 in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002 the Banyamulengués arrived at the [REDACTED] area of [REDACTED] and he fled to the bush together with his family. On their way, they were found by two Banyamulengués who raped his fourteen-year-old daughter. The applicant says that they stayed in the bush for forty-eight hours. Subsequently, he returned to his district that, in the meantime, had been occupied by the Banyamulengués. He says that they fled again and returned to his house only in March 2003 following the Banyamulengués' departure. He alleges his house was pillaged and partly destroyed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴

Analysis and conclusions

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

³ ICC-01/05-01/08-796-Conf-Exp-Anx159, page 3.

⁴ ICC-01/05-01/08-796-Conf-Exp-Anx159, 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 house between 7 December 2002 and March 2003 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 18 December 2002 the applicant was killed by the Banyamulengués in the [REDACTED] village, after [REDACTED] on the route to [REDACTED]. His mother discovered his corps the following day. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant has suffered physical harm due to his murder. In addition, the person acting on behalf of the applicant claims that she has also suffered psychological harm.⁶

Analysis and conclusions

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

Having examined the application as a whole, the Chamber finds that sufficient evidence has been provided on behalf of the applicant to establish *prima facie* that

⁵ ICC-01/05-01/08-796-Conf-Exp-Anx199.

⁶ ICC-01/05-01/08-796-Conf-Exp-Anx199, pages 9 to 11.

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 murder on 18 December 2002 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]

In addition, the Chamber considers that the applicant's mother has established *prima facie* that she is a victim under Rule 85 (a) herself, on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the alleged murder of her son on 18 December 2002 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 20 February 2003 the applicant was travelling by car together with a group of others transporting eight tons of coffee that was intended for sale. It is alleged that when they arrived in [REDACTED] they were stopped by MLC soldiers who forced them to step out of the car. The soldiers allegedly beat the applicant and accused him of carrying arms for the benefit of rebels. It is contended that they searched his car and, finding no arms, took his savings (amounting to 600,000 FCFA) as well as the eight tons of coffee. They confiscated the car and abducted his driver who was taken to the MLC base in [REDACTED] DRC. It is alleged that the following day the applicant had a hypertension crisis as a result of which he died. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant has suffered physical and material harm

⁷ ICC-01/05-01/08-796-Conf-Exp-Anx43.

due to the pillage of his belongings. In addition, the person acting on behalf of the applicant claims that he has also suffered psychological and material harm due to the pillage of his father's savings and belongings.⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant as well as that of his son who is acting on the applicant's behalf and the kinship between them.

Having examined the application as a whole, the Chamber considers that sufficient evidence has been provided on behalf of the applicant to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his possessions by the Banyamulengués of Jean-Pierre Bemba on 20 February 2003 in [REDACTED]. In addition, the Chamber considers that the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under rule 85(a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his father's possessions by the Banyamulengués of Jean-Pierre Bemba on 20 February 2003 in [REDACTED].

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 January 2003 the troops of François Bozizé left [REDACTED] and based themselves in [REDACTED]. They destroyed the public

⁸ ICC-01/05-01/08-796-Conf-Exp-Anx43, pages 9 to 11, 18.

⁹ ICC-01/05-01/08-796-Conf-Exp-Anx49.

buildings and disrupted all the public services. The young men of the village armed themselves and ambushed Bozizé's troops. In response, Bozizé's troops attacked the villages of [REDACTED] and [REDACTED]. The applicant alleges that his house was burned during this attack. On 17 February 2003 the applicant, who during the attack stayed in Bangui, decided to return to [REDACTED] to check on his family. When he arrived in [REDACTED] he contends that he was arrested by troops of Jean-Pierre Bemba, speaking in Lingala, who seized everything he was carrying with him and ill-treated him. He adds that he was forced to work for them and assist in carrying stolen goods to their base. As a result of the alleged events, the applicant claims to have suffered psychological and material damage.¹⁰

Analysis and conclusions

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

The Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his possessions by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 17 February 2003.

Applicant [REDACTED]

Claim to victim status

¹⁰ ICC-01/05-01/08-796-Conf-Exp-Anx49, pages 9 to 13.

¹¹ ICC-01/05-01/08-796-Conf-Exp-Anx71.

The applicant states that on 14 February 2003 the Banyamulengués invaded the town of [REDACTED]. He alleges that they destroyed his house, pillaged his belongings and beat him savagely. His family fled to the forest to escape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²

Analysis and conclusions

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

Having examined 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 possessions on 14 February 2003 in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 November 2002 he left Bangui to join his family in the village of [REDACTED]. He travelled by car with a group of others. When they arrived in [REDACTED] approximately [REDACTED] km from [REDACTED] they were allegedly stopped by the troops of Jean-Pierre Bemba. They were forced to come out of the car and men and women were separated. The applicant was forced to lay on the ground facing the sun. He alleges that the soldiers took the entire

¹² ICC-01/05-01/08-796-Conf-Exp-Anx71, pages 9 to 11, 18.

¹³ ICC-01/05-01/08-796-Conf-Exp-Anx91.

luggage from the car and then tortured the applicant. He states that he received approximately 60 blows on his back and feet. He adds that the soldiers took the sum of 550,000 FCFA that he was carrying with him. He was then liberated and was allowed to return to [REDACTED] where he joined his family. On 3 December 2002 the troops of Bozizé arrived in [REDACTED]. The applicant asserts that they shot two of his younger brothers and pillaged the village. On 10 December 2002 the troops of Bozizé allegedly humiliated and hit the applicant. On 16 December 2002, he alleges that they demanded money from him and threatened to kill him. He had to give them all of his belongings, including a motorcycle. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴

Analysis and conclusions

The Chamber notes a slight discrepancy with regard to the months of birth as indicated in the application form on the one hand and in the identity documents on the other. However, given that the remainder of the information provided in the identification documents is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of an inadvertent error and is therefore satisfied that the identity of the applicant is sufficiently demonstrated.

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

¹⁴ ICC-01/05-01/08-796-Conf-Exp-Anx91, pages 9 to 13, 21 to 25.

possessions on 28 November 2002 in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002 he heard gun shots and saw the Banyamulengués advancing towards [REDACTED]. The applicant, together with his family, fled to the bush in order to escape the danger. They stayed there for three weeks during which period one of his sons fell ill and died. Subsequently, he says that he returned to his area and he found that it had been occupied by the Banyamulengués. He tried to access his house but was stopped by the Banyamulengués. He adds that he sought refuge in the [REDACTED] of [REDACTED] together with his family, where he rented a house and stayed until the Banyamulengués' departure. When he returned again to his area, he alleges that he found his house completely pillaged and destroyed. The facts allegedly took place before March 2003. As a result of the alleged events, the applicant claims to have has suffered psychological and material harm.¹⁶

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 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

¹⁵ ICC-01/05-01/08-796-Conf-Exp-Anx118.

¹⁶ ICC-01/05-01/08-796-Conf-Exp-Anx118, 15 June 2010, pages 9 to 12.

result of crimes confirmed against the accused, namely the pillage of his possessions between December 2002 and March 2003 in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba.

o Fourth transmission - ICC-01/05-01/08-913-Conf-Exp-Anx1 to Anx176

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 December 2002, while she was on the boat to [REDACTED] km from the city of [REDACTED] the Banyamulengués raped her, her sister and all the other women on the boat. She also alleges that they stole her belongings and a sum of money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷

Analysis and conclusions

The Chamber considers that the 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

¹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx1; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 4 to 5.

¹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx1, pages 9 to 11, 18 to 20.

Banyamulengués of Jean-Pierre Bemba on 27 December 2002 on the boat to [REDACTED] [REDACTED] km from the city of [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 December 2002, while she was on the boat to [REDACTED] [REDACTED] km from the city of [REDACTED] the Banyamulengués of Jean-Pierre Bemba stole her belongings and those of the other persons onboard. She alleges that they also raped all the children and women on the boat. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰

Analysis and conclusions

The Chamber considers that the 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 27 December 2002 on the boat to [REDACTED] [REDACTED] km from the city of [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx2; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 6 to 7.

²⁰ ICC-01/05-01/08-913-Conf-Exp-Anx2, pages 9 to 11.

²¹ ICC-01/05-01/08-913-Conf-Exp-Anx3; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 8 to 9.

The applicant states that on 27 December 2002, while she was on the boat to [REDACTED] km from the city of [REDACTED] the men of Jean-Pierre Bemba raped her, her sister as well as other women on the boat. She alleges that they also stole her belongings and money. As a result of the alleged events, the applicant claims to have suffered physical, material and psychological harm.²²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 and money by the Banyamulengués of Jean-Pierre Bemba on 27 December 2002 on the boat to [REDACTED] km from the city of [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 17 December 2002, while she was in [REDACTED] travelling to [REDACTED] on a truck full of her merchandise, the Banyamulengués of Jean-Pierre Bemba raped her. She says that they also looted her goods and money. As a result of the alleged events, the applicant claims to have suffered physical, material and psychological harm.²⁴

²² ICC-01/05-01/08-913-Conf-Exp-Anx3, pages 9 to 11, 19 to 20.

²³ ICC-01/05-01/08-913-Conf-Exp-Anx4; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 10 to 11.

²⁴ ICC-01/05-01/08-913-Conf-Exp-Anx4, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish prima facie that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her goods and money by the Banyamulengués of Jean-Pierre Bemba on 17 December 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, between December 2002 and January 2003, following a clash with the rebels of Bozizé, the soldiers of Jean-Pierre Bemba retreated. He alleges that, while they were withdrawing, they pillaged all his belongings in the [REDACTED] of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.²⁶

Analysis and conclusions

Although the Chamber notes an inconsistency in the date of birth of the applicant between the application form and the documents attached thereto, such inconsistency is not of a nature to materially undermine the evidence provided taken as a whole. Therefore, the Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant.

²⁵ ICC-01/05-01/08-913-Conf-Exp-Anx5; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 2 to 3.

²⁶ ICC-01/05-01/08-913-Conf-Exp-Anx5, pages 11, 19 to 21.

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

Analysis and conclusions

The Chamber considers that the 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 goods and money by the Banyamulengués of Jean-Pierre Bemba on 17 December 2002 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 January 2003, in the prefecture of Ombella-Mpoko, close to [REDACTED] the Banyamulengués of Jean-Pierre Bemba stopped the vehicle in which she was travelling and raped her. She alleges that they also looted her property. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸

Analysis and conclusions

²⁷ ICC-01/05-01/08-913-Conf-Exp-Anx9; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 18 to 19.

²⁸ ICC-01/05-01/08-913-Conf-Exp-Anx9, pages 9 to 11.

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that on 14 January 2003, on the [REDACTED] road, the Banyamulengués of Jean-Pierre Bemba murdered his son. He says that he got a phone call from the hospital informing him of his son's death. Then, he went to the hospital to recognize the body. As a result of the alleged events, the applicant claims to have suffered psychological harm.³⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant and his deceased son, 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 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 14 January 2003, on the [REDACTED] road.

²⁹ ICC-01/05-01/08-913-Conf-Exp-Anx10; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 20 to 21.

³⁰ ICC-01/05-01/08-913-Conf-Exp-Anx10, pages 9 to 11, 19 to 20.

Applicant [REDACTED]

The claim to victim status

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

It is stated that on 14 January 2003, on the [REDACTED] road, her son was stopped by the Banyamulengués of Jean-Pierre Bemba who beat him and tortured him, before abandoning him on the street. It is said that he was rescued by a Red Cross vehicle but died on the way to Bangui. It is further alleged that the Banyamulengués stole his belongings. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant also claims to have suffered psychological and material harm due to the murder of her son and the pillage of her son's belongings.³²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant and his mother, who is acting on his 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 14 January 2003, on the route from [REDACTED]

³¹ ICC-01/05-01/08-913-Conf-Exp-Anx11; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 22 to 23.

³² ICC-01/05-01/08-913-Conf-Exp-Anx11, pages 9 to 11, 18 to 19.

The Chamber further considers 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 son by the Banyamulengués of Jean-Pierre Bemba on 14 January 2003, on the [REDACTED] road.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 January 2003, on the way back to Bangui, namely in [REDACTED] she was stopped by the Banyamulengués of Jean-Pierre Bemba together with her younger sister and brother. She alleges that they stole their merchandise and that they harassed them and raped them. She adds that one girl refused to obey their orders and was killed without hesitation. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 merchandise by the Banyamulengués of Jean-Pierre Bemba on 15 January 2003 in [REDACTED]

³³ ICC-01/05-01/08-913-Conf-Exp-Anx13; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 26 to 27.

³⁴ ICC-01/05-01/08-913-Conf-Exp-Anx13, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 January 2003, close to [REDACTED] her vehicle was stopped by the Banyamulengués of Jean-Pierre Bemba. She alleges that she was raped. She says that it was really humiliating and that her husband has repudiated her and she does not know what to do now. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 8 January 2003, coming back from [REDACTED] her vehicle was stopped by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED]

³⁵ ICC-01/05-01/08-913-Conf-Exp-Anx17; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 34 to 35.

³⁶ ICC-01/05-01/08-913-Conf-Exp-Anx17, pages 9 to 11.

³⁷ ICC-01/05-01/08-913-Conf-Exp-Anx18; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 36 to 37.

village. She alleges that they searched every passenger and harassed the women. She says that she was raped and that she could not oppose their force. She further states that they stole her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 5 February 2003, he and his uncle were returning to [REDACTED] from a business trip in Bangui. He specifies that his uncle had no children himself and raised him like a son and introduced him in his business. In this context, they were travelling in the Toyota of his uncle. He states that in the village of [REDACTED] their vehicle was stopped by the Banyamulengués of Jean-Pierre Bemba. He alleges that they pillaged the vehicle and their merchandise. He specifies that at the time of the events, his uncle, was providing for all children of the family. He also contends that his uncle died approximately

³⁸ ICC-01/05-01/08-913-Conf-Exp-Anx18, pages 9 to 11.

³⁹ ICC-01/05-01/08-913-Conf-Exp-Anx19; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 38 to 39.

6 months after the events. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁰

Analysis and conclusions

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

The Chamber notes that the applicant claims that the Banyamulengués pillaged the vehicle and the merchandise. While it follows from the application that the vehicle belonged to his uncle, it is claimed that the merchandise was their common property and served as source of income for the entire family. Given that the applicant contends that he was participating in his uncle's commercial activities and directly enjoying the benefits, 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 suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his merchandise by the Banyamulengués of Jean-Pierre Bemba on 5 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 15 January 2003, on the way back to Bangui, she was stopped together with her aunt by the Banyamulengués of Jean-Pierre Bemba. She alleges that they raped both of them. She says that, while she was unable to resist their violence, her aunt tried to oppose them and was finally killed. She

⁴⁰ ICC-01/05-01/08-913-Conf-Exp-Anx19, pages 9 to 11.

⁴¹ ICC-01/05-01/08-913-Conf-Exp-Anx20; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 40 to 41.

adds that they also took her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴²

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of her aunt and the kinship between them, and in light of the applicant's statement that her mother is claiming harm for the death of this person, only the rape of the applicant and the pillage of her belongings will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

The claim to victim status

The application is submitted on behalf of the deceased applicant by his mother. It is stated that on 17 December 2002, on the [REDACTED] road, the applicant's vehicle was stopped by the Banyamulengués of Jean-Pierre Bemba. It is alleged that they asked him for money and, as he did not have any, the Banyamulengués beat him to death and took his belongings. It is pointed out that, since this event, the

⁴² ICC-01/05-01/08-913-Conf-Exp-Anx20, pages 9 to 11.

⁴³ ICC-01/05-01/08-913-Conf-Exp-Anx21; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 42 to 43.

applicant's mother has been providing for his two children who have been abandoned by their natural mother. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant also claims to have suffered psychological and material harm due to the murder of her son and the pillage of his belongings.⁴⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant and her mother, who is acting on his 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 17 December 2002, on the [REDACTED] road.

In addition, 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 the murder of her son by the Banyamulengués of Jean-Pierre Bemba on 17 December 2002, on the [REDACTED] road.

Applicant [REDACTED]

⁴⁴ ICC-01/05-01/08-913-Conf-Exp-Anx21, pages 9 to 11, 20 to 21.

⁴⁵ ICC-01/05-01/08-913-Conf-Exp-Anx22; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 44 to 45.

The claim to victim status

The applicant states that on 15 January 2003, on the way back from [REDACTED] to Bangui, he and his two sisters were stopped by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED]. He alleges that the Banyamulengués tied his hands and feet and that they beat him. He says that they also took his goods and money. He adds that almost all the women were raped. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 January 2003, on the way back from [REDACTED] to Bangui, in [REDACTED] the Banyamulengués of Jean-Pierre Bemba stopped her, her younger brother and her older sister. She alleges that the Banyamulengués took her goods and raped her. She adds that one girl tried to oppose the violence and

⁴⁶ ICC-01/05-01/08-913-Conf-Exp-Anx22, pages 9 to 11.

⁴⁷ ICC-01/05-01/08-913-Conf-Exp-Anx23; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 46 to 47.

was killed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁸

Analysis and conclusions

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

The Chamber further considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 15 January 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 13 February 2003, along with three other men, she left [REDACTED] to reach Bangui in order to sell her goats. She alleges that a 5 vehicles convoy of Jean-Pierre Bemba's men heading towards [REDACTED] stopped them 85 km from [REDACTED] in the prefecture of Ombella M'Poko. She states that they raped her in the bush. She further says that they asked the three men to put her animals on their vehicle. She adds that they held the three men for 5 days of forced labour. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁰

Analysis and conclusions

⁴⁸ ICC-01/05-01/08-913-Conf-Exp-Anx23, pages 9 to 11.

⁴⁹ ICC-01/05-01/08-913-Conf-Exp-Anx26; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 52 to 53.

⁵⁰ ICC-01/05-01/08-913-Conf-Exp-Anx26, pages 9 to 11, 20 to 21.

The Chamber considers that the 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 animals by the Banyamulengués of Jean-Pierre Bemba on 13 February 2003 in the prefecture of Ombella M’Poko.

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 30 November 2002, the Banyamulengués stopped the vehicle in which he was travelling close to the village of [REDACTED] km from [REDACTED]. He alleges that they beat him and that they stole his property and money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 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 and money by the Banyamulengués

⁵¹ ICC-01/05-01/08-913-Conf-Exp-Anx27; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 54 to 55.

⁵² ICC-01/05-01/08-913-Conf-Exp-Anx27, pages 9 to 11.

of Jean-Pierre Bemba on 30 November 2002 close to the village of [REDACTED] km from [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, during February 2003, the Banyamulengués of Jean-Pierre Bemba came to the [REDACTED] area of [REDACTED] where they pillaged most of the houses while the population had escaped to the fields. She alleges that her house was also invaded and pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 in February 2003 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

The claim to victim status

⁵³ ICC-01/05-01/08-913-Conf-Exp-Anx31; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 62 to 63.

⁵⁴ ICC-01/05-01/08-913-Conf-Exp-Anx31, pages 9 to 11.

⁵⁵ ICC-01/05-01/08-913-Conf-Exp-Anx32; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 64 to 65.

The applicant states that, on 12 February 2003, his house located in the [REDACTED] area of [REDACTED] was invaded by the Banyamulengués of Jean-Pierre Bemba. He says that he introduced himself as [REDACTED] and they gave him a warning in order to intimidate him. He alleges that they searched him and they took a sum of money, which was the [REDACTED]. He states that they further stole all his goods. Further, he adds that he has been suffering hypertension since the events. As a result of the alleged events he claims to have suffered physical and material harm.⁵⁶

Analysis and conclusions

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

The Chamber notes that the applicant asserts that the Banyamulengués pillaged, *inter alia*, a sum of money, which corresponds to the [REDACTED] [REDACTED]. In the absence of any information to the effect that the applicant personally owned this money prior to the pillage, only the pillage of his personal belongings will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his goods by the Banyamulengués of Jean-Pierre Bemba on 12 February 2003 in the [REDACTED] area of [REDACTED].

Applicant [REDACTED]

⁵⁶ ICC-01/05-01/08-913-Conf-Exp-Anx32, pages 9 to 11, 19.

⁵⁷ ICC-01/05-01/08-913-Conf-Exp-Anx33; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 66 to 67.

The claim to victim status

The applicant states that, on 15 February 2003, the [REDACTED] area was attacked by the Banyamulengués and the population fled. As a consequence, the area was subject to systematic pillage, including the applicant's house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸

Analysis and conclusions

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

The Chamber notes that one page of the application form is missing. However, given that the information which is relevant for the present assessment is provided, the Chamber considers that this should not serve to exclude the applicant. As such, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 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 15 February 2003 in the [REDACTED] area.

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 15 February 2003, the Banyamulengués of Jean-Pierre Bemba invaded the [REDACTED] area of [REDACTED] and she fled to the bush together with the civilian population to escape the violence. She alleges that, upon return to her home a few days after, she found that her house had been destroyed and

⁵⁸ ICC-01/05-01/08-913-Conf-Exp-Anx33, pages 9 to 10.

⁵⁹ ICC-01/05-01/08-913-Conf-Exp-Anx34; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 68 to 69.

that all her belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 15 February 2003 and the subsequent days, in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, in February 2003, the Banyamulengués of Jean-Pierre Bemba pillaged his house in the [REDACTED] area, after he fled the area. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.⁶²

Analysis and conclusions

The Chamber notes a discrepancy between the date of birth as appearing on the birth certificate and the application form. However, given that the remainder of the information is consistent, the Chamber is satisfied that the identity of the applicant is sufficiently established.

⁶⁰ ICC-01/05-01/08-913-Conf-Exp-Anx34, pages 9 to 10.

⁶¹ ICC-01/05-01/08-913-Conf-Exp-Anx35; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 70 to 71.

⁶² ICC-01/05-01/08-913-Conf-Exp-Anx35, 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 house by the Banyamulengués of Jean-Pierre Bemba in February 2003 and the subsequent days in the [REDACTED] area.

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 15 February 2003, upon the arrival of the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] the population fled to the bush. She alleges that when she returned to her home she found that it had been destroyed and that all her belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁴

Analysis and conclusions

The Chamber considers that the 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 15 February 2003 and the subsequent days, in the [REDACTED] area of [REDACTED]

⁶³ ICC-01/05-01/08-913-Conf-Exp-Anx36; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 72 to 73.

⁶⁴ ICC-01/05-01/08-913-Conf-Exp-Anx36, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in February 2003, his house, which is located in the [REDACTED] area, was pillaged by the Banyamulengués of Jean-Pierre Bemba. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶

Analysis and conclusions

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

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 the [REDACTED] area by the Banyamulengués of Jean-Pierre Bemba in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, she left her house to escape from the Banyamulengués who had arrived in the [REDACTED] area of [REDACTED]. She states that when she came back three days later, she noticed that her house had been looted.

⁶⁵ ICC-01/05-01/08-913-Conf-Exp-Anx37; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 74 to 75.

⁶⁶ ICC-01/05-01/08-913-Conf-Exp-Anx37, pages 9 to 11.

⁶⁷ ICC-01/05-01/08-913-Conf-Exp-Anx38; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 76 to 77.

As result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁸

Analysis and conclusions

The Chamber notes a two months discrepancy between the date of birth on the application form and on the document attached thereto. However, given that the remainder of the information provided is consistent, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is thus satisfied that the identity of the applicant is sufficiently demonstrated.

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 of [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on or after 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] the entire population fled to the fields. He asserts that the Banyamulengués pillaged his garage and his home. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁰

⁶⁸ ICC-01/05-01/08-913-Conf-Exp-Anx38, pages 9 to 11.

⁶⁹ ICC-01/05-01/08-913-Conf-Exp-Anx39; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 78 to 79.

⁷⁰ ICC-01/05-01/08-913-Conf-Exp-Anx39, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that in February 2003, the Banyamulengués arrived in the [REDACTED] area of [REDACTED]. He states that he fled to the fields to escape from the violence and when he came back, he noticed that his house had been systematically looted. He adds that during his flight a piece of wood got into his eye and he has been suffering problems because of that. As a result of the alleged events, he claims to have suffered physical and material harm.⁷²

Analysis and conclusions

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

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

⁷¹ ICC-01/05-01/08-913-Conf-Exp-Anx40; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 80 to 81.

⁷² ICC-01/05-01/08-913-Conf-Exp-Anx40, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant asserts that on 13 February 2003, the Banyamulengués entered the [REDACTED] area of [REDACTED] and systematically pillaged her house. As a result of these events, the applicant claims to have suffered psychological and material harm.⁷⁴

Analysis and conclusions

The Chamber notes a nine years discrepancy in the date of birth between the application form and the birth certificate attached thereto. However, given that the remainder of the information provided is consistent, the Chamber is of the view that this inconsistency might be the result of inadvertent error in filling in the form, in particular since the date reported on the form corresponds to the day the applicant was registered to her church. The Chamber therefore considers that the identity of the applicant is sufficiently demonstrated.

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 of [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on 13 February 2003.

⁷³ ICC-01/05-01/08-913-Conf-Exp-Anx41; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 82 to 83.

⁷⁴ ICC-01/05-01/08-913-Conf-Exp-Anx41, pages 9 to 11, 19 to 20.

Applicant [REDACTED]

Claim to victim status

The applicant contends that on 12 February 2003, upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] she fled to the fields. During her absence, according to the applicant, the Banyamulengués looted all her personal belongings. As a consequence of the shock, she asserts to be sick and traumatized. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁶

Analysis and conclusions

The Chamber notes that one page of the application form is missing. However, given that the information which is relevant for the present assessment is provided, the Chamber considers that this should not serve to exclude the applicant. The Chamber considers that the documents provided demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 12 February 2003 in the [REDACTED] area of [REDACTED]

Applicant [REDACTED]

⁷⁵ ICC-01/05-01/08-913-Conf-Exp-Anx42; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 84 to 85.

⁷⁶ ICC-01/05-01/08-913-Conf-Exp-Anx42 pages 9 to 11.

⁷⁷ ICC-01/05-01/08-913-Conf-Exp-Anx43; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 86 to 87.

Claim to victim status

The applicant asserts that on 23 February 2003, the Banyamulengués troops arrived in the [REDACTED] area of [REDACTED] and looted her family's cattle. She further contends that when they tried to resist the pillage, one of the men fired a grenade which first killed the man himself and subsequently injured her husband. The applicant states that her husband later died as a result of his injuries and she appends a declaration of death, established by the *Chef de village*, attesting that the death was registered on [REDACTED] March 2003. She maintains that she has been stigmatized by her in-laws and that she now bears the sole responsibility of raising their children. As a result of the alleged event, she claims to have suffered physical, psychological and material harm.⁷⁸

Analysis and conclusions

The Chamber notes that the applicant filled in Section B of the application form, providing the name of the deceased in the field corresponding to the identity of the person acting on behalf. The Chamber considers that this might be due to inadvertent error and that the applicant intends to act on behalf of her deceased husband. The Chamber further notes that the applicant is also claiming personal harm.

The Chamber considers that the documents provided demonstrate the identity of the applicant and her deceased husband. However, the applicant does not provide proof of her relationship with the deceased. Given that kinship is not established, the applicant neither has legal standing to act on behalf of her deceased husband, nor can she claim harm as a result of the latter's alleged murder. As a result, only pillage will be considered for the purposes of the

⁷⁸ ICC-01/05-01/08-913-Conf-Exp-Anx43, pages 9 to 11.

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 cattle by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 23 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 10 March 2003, the men of Jean-Pierre Bemba looted his cows and household goods in the [REDACTED] area of [REDACTED]. With regard to the cows, he specifies that they have been taken to be used as supplies for the troops. He further contends that his neighbours and even the *Chef de village* have witnessed the pillage. After the events, he says that he started suffering hypertension and that it is very hard for him to work in the fields. As a result of the alleged events the applicant claims to have suffered physical and material harm.⁸⁰

Analysis and conclusions

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

With regard to the defence's contention that the elements of pillage are not satisfied because the requisition of the cows was justified by the military necessity to provide food to the troops, the Chamber notes that the applicant also refers to the looting of his household goods. Accordingly, the Chamber is of the

⁷⁹ ICC-01/05-01/08-913-Conf-Exp-Anx44; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 88 to 89.

⁸⁰ ICC-01/05-01/08-913-Conf-Exp-Anx44, pages 9 to 11.

view that the aforementioned argument does not require an independent assessment at this stage. 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 the [REDACTED] area of [REDACTED] on 10 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the men of Jean-Pierre Bemba entered his house located in the [REDACTED] area of [REDACTED] and pillaged his property. He also claims that he was confined and ordered to pay a ransom for his liberation. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁸²

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his property

⁸¹ ICC-01/05-01/08-913-Conf-Exp-Anx45; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 90 to 91.

⁸² ICC-01/05-01/08-913-Conf-Exp-Anx45, pages 9 to 11.

by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, Bemba's men systematically pillaged her goods related to her business as well as the goods of her house which is located in the [REDACTED] area. She further contends that she was raped by Bemba's men on the [REDACTED] [REDACTED] road. With regard to the latter incident, she specifies that the soldiers introduced the pipe of their weapon in her vagina and that she is still suffering physical pain as a consequence of this incident. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁴

Analysis and conclusions

The Chamber considers that the documents provided 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 her rape and the pillage of her commerce and her house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area and on the [REDACTED] [REDACTED] road on 15 February 2003.

⁸³ ICC-01/05-01/08-913-Conf-Exp-Anx46; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 92 to 93.

⁸⁴ ICC-01/05-01/08-913-Conf-Exp-Anx46, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the men of Jean-Pierre Bemba invaded the [REDACTED] area of [REDACTED] and pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, Bemba's soldiers looted his belongings in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁸

⁸⁵ ICC-01/05-01/08-913-Conf-Exp-Anx47; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 94 to 95.

⁸⁶ ICC-01/05-01/08-913-Conf-Exp-Anx47, pages 9 to 11.

⁸⁷ ICC-01/05-01/08-913-Conf-Exp-Anx48; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 96 to 97.

⁸⁸ ICC-01/05-01/08-913-Conf-Exp-Anx48, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, while he was in the fields with his family, the Banyamulengués came to his house in [REDACTED] broke the door and pillaged everything that was in the house. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁰

Analysis and conclusions

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

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

⁸⁹ ICC-01/05-01/08-913-Conf-Exp-Anx49; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 98 to 99.

⁹⁰ ICC-01/05-01/08-913-Conf-Exp-Anx49, pages 9 to 11.

result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] on 15 February 2003, she fled to the fields. She contends that when she came back, she noticed that her house had been pillaged. She further asserts that during their stay in the bush, she and her son got very sick. As a result of the alleged events, the applicant claims to have suffered material harm.⁹²

Analysis and conclusions

The Chamber notes that the name of the applicant's mother stated in the application differs from the one stated in the birth certificate. The Chamber nevertheless points out that the applicant signed by marking a dot thus suggesting that she is illiterate. The Chamber thus considers that the discrepancy in her mother's name might be due to an inadvertent error of the person who assisted her in filling in her application form. Therefore, given that the remainder of the application form is consistent, the Chamber is satisfied that the applicant's identity is sufficiently demonstrated.

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

⁹¹ ICC-01/05-01/08-913-Conf-Exp-Anx50; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 100 to 101.

⁹² ICC-01/05-01/08-913-Conf-Exp-Anx50, pages 9 to 11, 18.

result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or after 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the Banyamulengués of Jean-Pierre Bemba entered her house located in the [REDACTED] area of [REDACTED] and pillaged her property. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁴

Analysis and conclusions

The Chamber considers that the documents provided 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 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 the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

⁹³ ICC-01/05-01/08-913-Conf-Exp-Anx51; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 102 to 103.

⁹⁴ ICC-01/05-01/08-913-Conf-Exp-Anx51, pages 20 to 21.

⁹⁵ ICC-01/05-01/08-913-Conf-Exp-Anx52; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 104 to 105.

Claim to victim status

The applicant claims that following the arrival of the Banyamulengués in [REDACTED] on 15 February 2003, she and her family left their home and fled to the bush. She contends that upon their return on 17 February 2003, the Banyamulengués attacked them with their weapons. According to the applicant, they tried to escape again but she was caught and raped by the Banyamulengués. She specifies that she was a virgin at the time of the rape and that she was infected with gonorrhea. The applicant also claims that the Banyamulengués took everything from her family house. As a result of the alleged events, she claims to have suffered physical, psychological and material harm.⁹⁶

Analysis and conclusions

The Chamber notes that one page of the application form is missing. However, given that the information which is relevant for the present assessment is provided, the Chamber considers that this should not serve to exclude the applicant. 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 family house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or around 17 February 2003.

Applicant [REDACTED]

⁹⁶ ICC-01/05-01/08-913-Conf-Exp-Anx52, pages 9 to 10.

⁹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx53; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 106 to 107.

Claim to victim status

The applicant claims that on 15 February 2003, the Banyamulengués attacked [REDACTED] and came to his house. He asserts that they broke down the door of his house, took all his personal belongings and destroyed everything. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁸

Analysis and conclusions

The Chamber notes that the year of birth appearing on the applicant's student identity card differs from the year indicated on the application form and birth certificate. However, given that the remainder of the information provided is consistent, the Chamber is of the view that this might be the result of inadvertent error and is therefore satisfied that the identity of the applicant is established.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that in February 2003, at a time when she was 9 months pregnant, the Banyamulengués entered the city of [REDACTED] firing gunshots. The

⁹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx53, pages 9 to 11.

⁹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx54; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 108 to 109.

applicant adds that when she fled with her family the Banyamulengués occupied her house and pillaged all her belongings. 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 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 she is a victim under Rule 85(a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003 the Banyamulengués arrived in [REDACTED] shooting with their guns. The applicant asserts that upon their arrival, she had to flee her home and when she came back, the Banyamulengués came and pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰²

Analysis and conclusions

¹⁰⁰ ICC-01/05-01/08-913-Conf-Exp-Anx54, pages 9 to 11.

¹⁰¹ ICC-01/05-01/08-913-Conf-Exp-Anx55; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 110 to 111.

¹⁰² ICC-01/05-01/08-913-Conf-Exp-Anx55, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, upon the arrival of the Banyamulengués in [REDACTED] she fled to the church, together with her family. She contends that the Banyamulengués entered the church, firing bullets, and forced the applicant and her family to sing and dance, while they were singing in Lingala. The applicant asserts that after they left the church, the Banyamulengués pillaged her shop. As a consequence, she had to abandon her education. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁴

Analysis and conclusions

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

¹⁰³ ICC-01/05-01/08-913-Conf-Exp-Anx56; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 112 to 113.

¹⁰⁴ ICC-01/05-01/08-913-Conf-Exp-Anx56, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, when she returned to [REDACTED] from the fields, she heard gunshots and thus fled back to the fields, together with her six children. She asserts that during her absence, the Banyamulengués entered her house and pillaged her property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁶

Analysis and conclusions

The Chamber considers that the documents provided 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 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 [REDACTED] on or around 15 February 2003.

¹⁰⁵ ICC-01/05-01/08-913-Conf-Exp-Anx57; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 114 to 115.

¹⁰⁶ ICC-01/05-01/08-913-Conf-Exp-Anx57, pages 9 to 11, 21.

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

The applicant claims that on 15 February 2003, he was at school when the Banyamulengués entered [REDACTED]. He asserts that the gunshots made all the pupils flee from the school. He states that he went home, and then fled to the fields together with his mother and two children. His mother was allegedly hit by a stray bullet and died thereafter. The applicant adds that during this time, his house, located in the [REDACTED] area, was pillaged and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. Concerning the alleged murder of the applicant's mother, the Chamber notes that the applicant attaches his own birth certificate, which allows the Chamber to establish the identity of the deceased person as well as 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 mother and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

¹⁰⁷ ICC-01/05-01/08-913-Conf-Exp-Anx58; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 116 to 117.

¹⁰⁸ ICC-01/05-01/08-913-Conf-Exp-Anx58, pages 9 to 11, 19.

Applicant [REDACTED]

Claim to victim status

The applicant claims that upon the arrival of the Banyamulengués in [REDACTED] on 15 February 2003, she fled from her house, which was subsequently pillaged by the Banyamulengués in her absence. She states that she returned home three days later, and the Banyamulengués came back during the night. She asserts that she was able to escape together with her sister but her mother could not escape and was thus severely beaten by the Banyamulengués. She adds that she fell during her flight and that she was ill for a long time and still has problems with her back. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹¹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

¹⁰⁹ ICC-01/05-01/08-913-Conf-Exp-Anx59; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 118 to 119.

¹¹⁰ ICC-01/05-01/08-913-Conf-Exp-Anx59, pages 9 to 11, 19.

¹¹¹ ICC-01/05-01/08-913-Conf-Exp-Anx60; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 120 to 121.

The applicant avers that on 15 February 2003, upon the arrival of the Banyamulengués in [REDACTED] she fled to the bush together with her children. She claims that during the flight, she fell down with her 8 years old son, who eventually died. Her daughter reportedly became sick and also died. She further claims that the Banyamulengués broke the door of her house and pillaged all her belongings. The applicant adds that subsequently, she also became sick and had to be hospitalized for one week. 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 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 she is a victim under Rule 85(a) on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or around 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in February 2003, upon the arrival of the Banyamulengués in [REDACTED] she fled to the hills. According to the applicant, when she returned the next day, she found that they had broken the door of her house

¹¹² ICC-01/05-01/08-913-Conf-Exp-Anx60, pages 9 to 11, 19.

¹¹³ ICC-01/05-01/08-913-Conf-Exp-Anx61; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 122 to 123.

and pillaged all her belongings. She further contends that suddenly a Banyamulengué arrived, talked to her in Lingala and raped her outside her house. As a result of the alleged events, she claims to have suffered physical, psychological and material harm.¹¹⁴

Analysis and conclusions

The Chamber considers 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 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] in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003 her property, including expensive construction material, was pillaged from her house, located in the [REDACTED] area of [REDACTED] by the Banyamulengués. As a result of the alleged event, the applicant claims to have suffered psychological and material harm.¹¹⁶

Analysis and conclusions

¹¹⁴ ICC-01/05-01/08-913-Conf-Exp-Anx61, pages 9 to 11.

¹¹⁵ ICC-01/05-01/08-913-Conf-Exp-Anx62; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 124 to 125.

¹¹⁶ ICC-01/05-01/08-913-Conf-Exp-Anx62, pages 9 to 11.

Although the page where the applicant was supposed to sign (page 15) is missing, the Chamber notes that the applicant has signed at the bottom of each page of her application. Thus, the Chamber considers the application to be complete.

The Chamber further notes that the documents provided demonstrate the identity of the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the Banyamulengués of Jean-Pierre Bemba entered her house, which is located in the [REDACTED] area of [REDACTED] and pillaged her property. The applicant specifies that she had to flee her home and when she came back everything in her house was missing. She asserts that due to the loss of her belongings her anxiety is such that she suffers stomach aches. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁸

Analysis and conclusions

¹¹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx63; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 126 to 127.

¹¹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx63, pages 9 to 10, 20 to 22.

The Chamber considers that the 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 property by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on or around 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, when Bemba's troops invaded [REDACTED] everybody fled the area. She states that they broke into her house and took some of her personal belongings and construction material. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁰

Analysis and conclusions

The Chamber notes that some pages of the application form are missing, including page 15 where the applicant is supposed to sign the form. However, given that the information which is relevant for the present assessment is provided, the Chamber considers that this should not serve to exclude the applicant. In addition, even though the Chamber cannot verify whether the applicant has signed page 15, the Chamber notes that she has put her fingerprint at the bottom of each page and the application is thus considered complete.

¹¹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx64; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 128 to 129.

¹²⁰ ICC-01/05-01/08-913-Conf-Exp-Anx64, pages 9 to 10.

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 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the Banyamulengués of Jean-Pierre Bemba entered the [REDACTED] area, [REDACTED] firing gunshots. She states that upon their arrival, she fled to the fields. When she came back to her place in order to take some money and some of her personal belongings, she realized that the Banyamulengués had taken all her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²²

Analysis and conclusions

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

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

¹²¹ ICC-01/05-01/08-913-Conf-Exp-Anx65; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 130 to 131.

¹²² ICC-01/05-01/08-913-Conf-Exp-Anx65, pages 9 to 11, 21.

belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or around 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant reports that on 15 February 2003, when the Banyamulengués invaded [REDACTED] she stayed in [REDACTED] with her family because she had a broken leg and because they had only recently arrived in the area and thus did not know where to flee to. She claims that the Banyamulengués broke into their house and took all their belongings. They then shot at and beat her son with the butt of their rifles, which led to his death. It is further reported that three Banyamulengués raped her 15 year old daughter who became pregnant as a result of the rape and subsequently had a stillbirth. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. Concerning the alleged murder of the applicant's son and the rape of the applicant's daughter, the Chamber notes that the applicant does not submit any document demonstrating their identity and their kinship. As a result, only pillage will be considered for the purpose of the present assessment.

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

¹²³ ICC-01/05-01/08-913-Conf-Exp-Anx66; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 132 to 133.

¹²⁴ ICC-01/05-01/08-913-Conf-Exp-Anx66, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, when the Banyamulengués arrived in [REDACTED] she fled the area and went to the bush. According to the applicant, the Banyamulengués stayed in the area for three days during which they pillaged and took all her personal belongings and those of her family. The applicant contends that the loss of her belongings caused her anguish. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁶

Analysis and conclusions

The Chamber notes that the date of birth as appearing on the application form does not correspond to the day the applicant was born but to the day the birth was declared. However, 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.

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

¹²⁵ ICC-01/05-01/08-913-Conf-Exp-Anx67; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 134 to 135.

¹²⁶ ICC-01/05-01/08-913-Conf-Exp-Anx67, pages 9 to 11.

belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 February 2003, the troops of Bemba arrived in the [REDACTED] area of [REDACTED] and invaded her home. She states that they took some of her personal belongings, including a mattress and sacks of maize and nuts stocked in her granary. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁸

Analysis and conclusions

The Chamber considers that the documents provided 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 property by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

¹²⁷ ICC-01/05-01/08-913-Conf-Exp-Anx68; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 136 to 137.

¹²⁸ ICC-01/05-01/08-913-Conf-Exp-Anx68, pages 9 to 11.

¹²⁹ ICC-01/05-01/08-913-Conf-Exp-Anx69; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 138 to 139.

The applicant alleges that on 15 February 2003, when she heard gunshots approaching her place of residence in the [REDACTED] area of [REDACTED] she ran away to the fields. She contends that in her absence, the men of Jean-Pierre Bemba looted the entire area, including her home and livestock. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³⁰

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 home and livestock by the Banyamulengués of Jean-Pierre Bemba the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, Bemba's soldiers systematically looted his belongings in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³²

Analysis and conclusions

¹³⁰ ICC-01/05-01/08-913-Conf-Exp-Anx69, pages 9 to 11, 18.

¹³¹ ICC-01/05-01/08-913-Conf-Exp-Anx70; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 140 to 141.

¹³² ICC-01/05-01/08-913-Conf-Exp-Anx70, pages 9 to 11, 21.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, while she was away from her house, located in the [REDACTED] area of [REDACTED] the Banyamulengues pillaged all her belongings in her shop and house. She further states that she has been permanently ill since this event. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹³⁴

Analysis and conclusions

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

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

¹³³ ICC-01/05-01/08-913-Conf-Exp-Anx71; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 142 to 143.

¹³⁴ ICC-01/05-01/08-913-Conf-Exp-Anx71, pages 9 to 11, 30.

accused, namely the pillage of her shop and house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 16 February 2003, when she fled her home in the [REDACTED] area of [REDACTED] Bemba's men came to her house and looted some of her belongings and her money. She further contends that her father died as a consequence of the pillage because he suffered psychologically from the loss of his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁶

Analysis and conclusions

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

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 by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 16 February 2003.

Applicant [REDACTED]

¹³⁵ ICC-01/05-01/08-913-Conf-Exp-Anx72; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 144 to 145.

¹³⁶ ICC-01/05-01/08-913-Conf-Exp-Anx72, pages 9 to 11.

¹³⁷ ICC-01/05-01/08-913-Conf-Exp-Anx73; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 146 to 147.

The claim to victim status

The applicant states that on 18 February 2003, Bemba's men broke into his shop, located in [REDACTED] and pillaged all his merchandise, as well as the goods the applicant lists and values. The applicant further alleges that he was taken hostage and he was forced to transport their materials. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 18 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that in February 2003, in [REDACTED] [REDACTED] Bemba's men were shooting randomly at the population and he had to flee. He further claims that they pillaged his furniture and his store, which was his only source of income. As

¹³⁸ ICC-01/05-01/08-913-Conf-Exp-Anx73, pages 9 to 11, 18.

¹³⁹ ICC-01/05-01/08-913-Conf-Exp-Anx74; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 148 to 149.

a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 February 2003, the Banyamulengués came to [REDACTED] and he had to flee. Upon his return, five days later, 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.¹⁴²

Analysis and conclusions

The Chamber considers that the 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

¹⁴⁰ ICC-01/05-01/08-913-Conf-Exp-Anx74, pages 9 to 11.

¹⁴¹ ICC-01/05-01/08-913-Conf-Exp-Anx75; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 150 to 151.

¹⁴² ICC-01/05-01/08-913-Conf-Exp-Anx75, pages 9 to 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 15 February 2003 and the subsequent days in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 1 March 2003, while he was in the fields, Bemba's men broke into his house, located in the [REDACTED] area of [REDACTED] and destroyed his children's birth certificates and some administrative documents, then, they looted his furniture. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 March 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁴³ ICC-01/05-01/08-913-Conf-Exp-Anx76; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 152 to 153.

¹⁴⁴ ICC-01/05-01/08-913-Conf-Exp-Anx76, pages 9 to 11.

¹⁴⁵ ICC-01/05-01/08-913-Conf-Exp-Anx77; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 154 to 155.

The applicant states that on 15 February 2003, when she heard the first shoots of the Banyamulengués who were coming to the [REDACTED] area of [REDACTED] she fled to the fields. Upon her return, she discovered that the Banyamulengués had pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that three pages of the application form are missing. However, given that the information which is relevant for the purpose of the present assessment is provided, the Chamber considers that this should not serve to exclude the applicant.

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

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 February 2003, the Banyamulengués of Bemba arrived in [REDACTED] and everybody fled, including him and his family, who found refuge in the fields. Upon their return, five days later, they found that their

¹⁴⁶ ICC-01/05-01/08-913-Conf-Exp-Anx77, pages 9 to 11.

¹⁴⁷ ICC-01/05-01/08-913-Conf-Exp-Anx78; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 156 to 157.

goods, which he lists, were pillaged by the soldiers. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 15 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 15 February 2003 the Banyamulengués troops entered his house, located in [REDACTED] and tortured him and his father, who, because of the torture, became ill and died on 10 October 2004. The applicant further states that the Banyamulengués took his jewellery, his money and other belongings which he lists in the application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁰

Analysis and conclusions

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

¹⁴⁸ ICC-01/05-01/08-913-Conf-Exp-Anx78, pages 9 to 11.

¹⁴⁹ ICC-01/05-01/08-913-Conf-Exp-Anx79; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 158 to 159.

¹⁵⁰ ICC-01/05-01/08-913-Conf-Exp-Anx79, pages 9 to 11, 18 to 19.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, Bemba's militia men came to [REDACTED] The applicant further contends that he fled to the bush, more than 5 km away from his house, and that the soldiers looted the goods he lists in his application. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 27 February 2003 in [REDACTED]

¹⁵¹ ICC-01/05-01/08-913-Conf-Exp-Anx81; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 162 to 163.

¹⁵² ICC-01/05-01/08-913-Conf-Exp-Anx81, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003 the Banyamulengués invaded [REDACTED] where they established their base and stayed for more than one month. She further alleges that she had to flee to the bush and that the Banyamulengués looted her household goods, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, the soldiers of Jean Pierre Bemba entered her house, located in [REDACTED] She further claims that she had to flee to the

¹⁵³ ICC-01/05-01/08-913-Conf-Exp-Anx82; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 164 to 165.

¹⁵⁴ ICC-01/05-01/08-913-Conf-Exp-Anx82, pages 9 to 11.

¹⁵⁵ ICC-01/05-01/08-913-Conf-Exp-Anx83; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 166 to 167.

bush and that they looted all her belongings. 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.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that that on 27 February 2003, when Bemba's militia men took control over [REDACTED] [REDACTED] to [REDACTED] she had to flee to the bush. She further claims that the soldiers broke into her house and looted all her goods, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁸

Analysis and conclusions

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

¹⁵⁶ ICC-01/05-01/08-913-Conf-Exp-Anx83, pages 9 to 11.

¹⁵⁷ ICC-01/05-01/08-913-Conf-Exp-Anx84; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 168 to 169.

¹⁵⁸ ICC-01/05-01/08-913-Conf-Exp-Anx84, pages 9 to 11.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when the militia men of Bemba invaded [REDACTED] she took her children and left. The applicant claims that during their stay in the village, the men looted her belongings and her livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

¹⁵⁹ ICC-01/05-01/08-913-Conf-Exp-Anx85; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 170 to 171.

¹⁶⁰ ICC-01/05-01/08-913-Conf-Exp-Anx85, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's soldiers invaded [REDACTED] he was sick and his children had to evacuate him to the fields. The applicant further alleges that the militia men looted all his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, Bemba's soldiers took control over [REDACTED] and she fled to the bush. She further claims that they took her livestock and belongings which she lists and left her in a state of poverty. As a

¹⁶¹ ICC-01/05-01/08-913-Conf-Exp-Anx86; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 172 to 173.

¹⁶² ICC-01/05-01/08-913-Conf-Exp-Anx86, pages 9 to 11.

¹⁶³ ICC-01/05-01/08-913-Conf-Exp-Anx87; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 174 to 175.

result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on an unspecified date between mid-February and Bozize's takeover of power in March 2003, the Banyamulengués invaded [REDACTED] and raped her 13 year old daughter, who became ill and died two years after the event. She also alleges that the Banyamulengués pillaged her livestock. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁶

Analysis and conclusions

The Chamber notes a slight inconsistency in the date of birth of the applicant between the application form and the document attached thereto. However,

¹⁶⁴ ICC-01/05-01/08-913-Conf-Exp-Anx87, pages 9 to 11.

¹⁶⁵ ICC-01/05-01/08-913-Conf-Exp-Anx88; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 176 to 177.

¹⁶⁶ ICC-01/05-01/08-913-Conf-Exp-Anx88, pages 9 to 11.

given that the remainder of the information provided is consistent, the Chamber is satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

In the absence of any document demonstrating the identity of the applicant's daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date between mid February and 15 March 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's soldiers took control over [REDACTED] she had to flee to the bush. She further claims that they looted her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁷

Analysis and conclusions

The Chamber considers that the 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

¹⁶⁷ ICC-01/05-01/08-913-Conf-Exp-Anx89; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 178 to 179.

¹⁶⁸ ICC-01/05-01/08-913-Conf-Exp-Anx89, 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 an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's soldiers took control over [REDACTED] she had to flee to the fields. She claims that the men took all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁶⁹ ICC-01/05-01/08-913-Conf-Exp-Anx90; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 180 to 181.

¹⁷⁰ ICC-01/05-01/08-913-Conf-Exp-Anx90, pages 9 to 11.

¹⁷¹ ICC-01/05-01/08-913-Conf-Exp-Anx91; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 182 to 183.

The applicant claims that on 27 February 2003, when the soldiers of Jean-Pierre Bemba seized [REDACTED] he had to flee to the bush. The applicant further alleges that they looted his house, located in [REDACTED] and destroyed his land. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷²

Analysis and conclusions

The Chamber considers that the 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, after Bemba's soldiers took control over [REDACTED] he fled to the bush. The applicant claims that they looted everything he owned. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁴

Analysis and conclusions

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

¹⁷² ICC-01/05-01/08-913-Conf-Exp-Anx91, pages 9 to 11.

¹⁷³ ICC-01/05-01/08-913-Conf-Exp-Anx92; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 184 to 185.

¹⁷⁴ ICC-01/05-01/08-913-Conf-Exp-Anx92, 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, after Bemba's soldiers took control over [REDACTED] she fled to the fields. She further alleges that Bemba's men looted everything she owned. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

¹⁷⁵ ICC-01/05-01/08-913-Conf-Exp-Anx93; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 186 to 187.

¹⁷⁶ ICC-01/05-01/08-913-Conf-Exp-Anx93, pages 9 to 11.

¹⁷⁷ ICC-01/05-01/08-913-Conf-Exp-Anx94; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 188 to 189.

The claim to victim status

The applicant states that on 27 February 2010, when Bemba's soldiers took control over [REDACTED] he fled to the bush. He alleges that they looted his belongings, that he lists, and his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁸

Analysis and conclusions

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

The Chamber notes that, according to the applicant, the events occurred on 27 February 2010 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in February 2003. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and as such should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁷⁸ ICC-01/05-01/08-913-Conf-Exp-Anx94, pages 9 to 11.

¹⁷⁹ ICC-01/05-01/08-913-Conf-Exp-Anx95; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 190 to 191.

The applicant states that on 27 February 2010, when Bemba's soldiers attacked [REDACTED] she fled to the bush. She further claims that they pillaged all her belongings and her livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁰

Analysis and conclusions

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

The Chamber notes that, according to the applicant, the events occurred on 27 February 2010 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in February 2003. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and as such should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁸⁰ ICC-01/05-01/08-913-Conf-Exp-Anx95, pages 9 to 11.

¹⁸¹ ICC-01/05-01/08-913-Conf-Exp-Anx96; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 192 to 193.

The applicant states that on 27 February 2003, when Bemba's soldiers attacked [REDACTED] he had to flee to the bush. He alleges that the soldiers looted his property, located in [REDACTED] including a sum of money and his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2010 he fled to the bush because the soldiers of Bemba invaded [REDACTED]. The applicant claims that they looted his household belongings, a sum of money and his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁴

Analysis and conclusions

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

¹⁸² ICC-01/05-01/08-913-Conf-Exp-Anx96, pages 9 to 11.

¹⁸³ ICC-01/05-01/08-913-Conf-Exp-Anx97; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 194 to 195.

¹⁸⁴ ICC-01/05-01/08-913-Conf-Exp-Anx97, pages 9 to 11.

The Chamber notes that, according to the applicant, the events occurred on 27 February 2010 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in February 2003. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and as such should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, Bemba's soldiers invaded [REDACTED] and she had to flee to the bush. The applicant further claims that they looted her house and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁶

Analysis and conclusions

The Chamber notes that the identification document provided, a written statement, signed and stamped by the Chief of the Village, contains discrepancies with regard to the applicant's surname and date of birth. Accordingly, the

¹⁸⁵ ICC-01/05-01/08-913-Conf-Exp-Anx98; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 196 to 197.

¹⁸⁶ ICC-01/05-01/08-913-Conf-Exp-Anx98, pages 9 to 11.

Chamber considers that the identity of the applicant is not sufficiently established and therefore rejects the application for participation in the proceedings.

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, Bemba's militia men invaded [REDACTED] and he had to flee to the bush. The applicant further claims that the men looted his belongings, including all his merchandise and his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁸

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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁸⁷ ICC-01/05-01/08-913-Conf-Exp-Anx99; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 198 to 199.

¹⁸⁸ ICC-01/05-01/08-913-Conf-Exp-Anx99, pages 9 to 11.

¹⁸⁹ ICC-01/05-01/08-913-Conf-Exp-Anx100; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 200 to 201.

The applicant states that on 27 February 2003, Bemba's militia men invaded [REDACTED] and, as a consequence, she had to flee to the bush. The applicant further claims that the men looted her house and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 15 February 2003, the Bemba's soldiers arrived in [REDACTED] and entered her house, located in the [REDACTED] area of [REDACTED] and looted everything. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹²

Analysis and conclusions

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

¹⁹⁰ ICC-01/05-01/08-913-Conf-Exp-Anx100, pages 9 to 11.

¹⁹¹ ICC-01/05-01/08-913-Conf-Exp-Anx101; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 202 to 203.

¹⁹² ICC-01/05-01/08-913-Conf-Exp-Anx101, pages 9 to 11.

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

Applicant [REDACTED]

The claim to victim status

The applicant states that in February 2003, Bemba's militia men had established their headquarters in [REDACTED]. She further claims that they systematically looted the village and took all of the applicant's belongings and destroyed her administrative papers and her house. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁴

Analysis and conclusions

The Chamber considers that the 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 February 2003 in [REDACTED]

¹⁹³ ICC-01/05-01/08-913-Conf-Exp-Anx102; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 204 to 205.

¹⁹⁴ ICC-01/05-01/08-913-Conf-Exp-Anx102, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

The applicant states that in February 2003, when the Banyamulengués took control over [REDACTED] they established their headquarters in the applicant's house, located in the [REDACTED] area. The applicant contends that he is the [REDACTED] [REDACTED] [REDACTED] [REDACTED] and this is the reason why the Banyamulengués chose his house to establish their headquarters. The applicant further claims that they occupied his house for a week, pillaging and destroying all his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁶

Analysis and conclusions

The Chamber considers that the 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 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

¹⁹⁵ ICC-01/05-01/08-913-Conf-Exp-Anx103; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 206 to 207.

¹⁹⁶ ICC-01/05-01/08-913-Conf-Exp-Anx103, pages 9 to 11.

¹⁹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx104; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 208 to 209.

The applicant states that in November 2002, the Banyamulengués were in control over [REDACTED]. She alleges they broke into her house and raped her 14 years old daughter, who died two years later. The applicant further claims that they looted her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁸

Analysis and conclusions

The Chamber notes that the only document attached by the applicant to the application form is a vaccination card, which does not sufficiently establish the identity of the applicant. Therefore, the application for participation is rejected on this ground.

Applicant [REDACTED]

The claim to victim status

The applicant claims that in February 2003, the Banyamulengués took control over [REDACTED] and all the inhabitants had to flee. The applicant and her husband had to stay in the village, because their daughter was dying and she needed to be taken care of. She states that the Banyamulengués came to their house, looted her belongings and those of her family. Further, she adds that they traumatized their daughter, who died shortly after. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁰⁰

Analysis and conclusions

¹⁹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx104, pages 9 to 11.

¹⁹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx105; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 210 to 211.

²⁰⁰ ICC-01/05-01/08-913-Conf-Exp-Anx105, pages 9 to 11.

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

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

Applicant [REDACTED]

The claim to victim status

The applicant states that in February 2003, when Bemba's militia men were in control over [REDACTED] [REDACTED] they broke into his house and pillaged his belongings. The applicant claims that he could not flee and had to witness the pillaging because he was ill. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰²

Analysis and conclusions

The Chamber considers that the 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 February 2003 in [REDACTED]

²⁰¹ ICC-01/05-01/08-913-Conf-Exp-Anx106; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 212 to 213.

²⁰² ICC-01/05-01/08-913-Conf-Exp-Anx106, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

The applicant states that in February 2003, the Banyamulengués entered [REDACTED] where they established their headquarters. The applicant asserts that they pillaged all her belongings and money. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués occupied her house, located in [REDACTED] road, [REDACTED] km away from [REDACTED]. She alleges that they used the house as a [REDACTED] and they destroyed it, as well as her administrative documents, and that she lost her belongings that she lists. As a

²⁰³ ICC-01/05-01/08-913-Conf-Exp-Anx107; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 214 to 216.

²⁰⁴ ICC-01/05-01/08-913-Conf-Exp-Anx107, pages 9 to 11.

²⁰⁵ ICC-01/05-01/08-913-Conf-Exp-Anx108; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 216 to 217.

result of the alleged events the applicant claims to have suffered material harm.²⁰⁶

Analysis and conclusions

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

With regard to the description of the alleged crimes, the Chamber observes that the applicant merely reports that she lost her belongings, without claiming that she was pillaged. However, in light of the general circumstances of the events and in the absence of any indication to the effect that the loss might be due to other factors, the Chamber is of the view that there is a *prima facie* basis to believe that the applicant was pillaged.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués took control over [REDACTED] and looted his house and his goats. He alleges he could not flee

²⁰⁶ ICC-01/05-01/08-913-Conf-Exp-Anx108, pages 9 to 11.

²⁰⁷ ICC-01/05-01/08-913-Conf-Exp-Anx109; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 218 to 219.

because his daughter was terminally ill. As a result of the alleged events the applicant claims to have suffered material harm.²⁰⁸

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 in February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, while she was in Bangui, the Banyamulengués took control over [REDACTED] and looted her house. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁰

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

²⁰⁸ ICC-01/05-01/08-913-Conf-Exp-Anx109, pages 9 to 11.

²⁰⁹ ICC-01/05-01/08-913-Conf-Exp-Anx110; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 220 to 221.

²¹⁰ ICC-01/05-01/08-913-Conf-Exp-Anx110, pages 9 to 11.

accused, namely 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 in February 2003, he was forced to flee because the Banyamulengués entered his house, located in [REDACTED] ([REDACTED]) and looted and destroyed his property. 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 he is a victim under Rule 85 (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 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués took control over [REDACTED] and the population fled. He alleges that when everything was

²¹¹ ICC-01/05-01/08-913-Conf-Exp-Anx111; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 222 to 223.

²¹² ICC-01/05-01/08-913-Conf-Exp-Anx111, pages 9 to 11.

²¹³ ICC-01/05-01/08-913-Conf-Exp-Anx112; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 224 to 226.

apparently calm, he returned to his house and realized that his belongings, which he lists, and his livestock had been looted. 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 considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (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 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, although she was sick, she was forced to flee with her children to the fields because the Banyamulengués took control over the [REDACTED] village. She alleges that the soldiers looted her house. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁶

Analysis and conclusions

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

²¹⁴ ICC-01/05-01/08-913-Conf-Exp-Anx112, pages 9 to 11.

²¹⁵ ICC-01/05-01/08-913-Conf-Exp-Anx113; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 226 to 227.

²¹⁶ ICC-01/05-01/08-913-Conf-Exp-Anx113, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, while he was in the fields, the Banyamulengués took control over the village of [REDACTED]. He alleges that they raped his mother, who was traumatized and died on [REDACTED] August 2003. He further states that the Banyamulengués looted his property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹⁸

Analysis and conclusions

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

Concerning the alleged rape of the applicant's mother, the Chamber notes that the applicant does not submit any document demonstrating her identity and their kinship. As a result, only pillage will be considered for the purpose of the present assessment.

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

²¹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx114; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 228 to 229.

²¹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx114, pages 9 to 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 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués took control over the village of [REDACTED] and entered his house. He alleges that the soldiers beat him, looted his property and that he was forced to flee. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical 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, in February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

²¹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx115; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 230 to 231.

²²⁰ ICC-01/05-01/08-913-Conf-Exp-Anx115, pages 9 to 11.

²²¹ ICC-01/05-01/08-913-Conf-Exp-Anx116; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 232 to 233.

The applicant states that on 15 February 2003, the Banyamulengués arrived in [REDACTED]. She says that during their “pillage campaign” they entered her house, located in the [REDACTED] area of [REDACTED] and looted her property. As a result of the alleged events, the applicant claims to have suffered material harm.²²²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2010, the Banyamulengués took control over [REDACTED] entered her house and pillaged her belongings and her goats. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁴

Analysis and conclusions

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

²²² ICC-01/05-01/08-913-Conf-Exp-Anx116, pages 9 to 11.

²²³ ICC-01/05-01/08-913-Conf-Exp-Anx117; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 234 to 235.

²²⁴ ICC-01/05-01/08-913-Conf-Exp-Anx117, pages 9 to 11.

The Chamber notes that, according to the applicant, the events occurred in February 2010 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in February 2003. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to an inadvertent error and as such should not serve to exclude 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 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 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in mid February 2003, Bemba's militia attacked [REDACTED]. He alleges that he was terrified and fled to the bush, and that the soldiers looted his household belongings, his goats and a sum of money. He further states that they forced him to transport the loot from [REDACTED] to [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁶

Analysis and conclusions

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

²²⁵ ICC-01/05-01/08-913-Conf-Exp-Anx118; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 236 to 237.

²²⁶ ICC-01/05-01/08-913-Conf-Exp-Anx118, 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 mid February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant, who was pregnant at the time of the events, states that in February 2003, after taking [REDACTED] the Banyamulengués forced her to leave her house, located in [REDACTED] village. She further alleges that they hit her husband and looted her belongings and a sum of money. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

²²⁷ ICC-01/05-01/08-913-Conf-Exp-Anx119; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 238 to 239.

²²⁸ ICC-01/05-01/08-913-Conf-Exp-Anx119, pages 9 to 11.

²²⁹ ICC-01/05-01/08-913-Conf-Exp-Anx120; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 240 to 241.

Claim to victim status

The applicant states that on 15 March 2010, when Bemba's Banyamulengués were retreating and fleeing from the troops of Bozize, they entered her house, located in the [REDACTED] area of [REDACTED] and looted her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁰

Analysis and conclusions

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

The Chamber notes that, according to the applicant, the events occurred on 15 March 2010 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in February 2003. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to an inadvertent error and as such should not serve to exclude 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 suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on 15 March 2003 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

²³⁰ ICC-01/05-01/08-913-Conf-Exp-Anx120, pages 9 to 11.

²³¹ ICC-01/05-01/08-913-Conf-Exp-Anx121; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 242 to 243.

The applicant states that on 27 February 2003, after Bemba's militia took control over [REDACTED] she was forced to flee to the bush. She alleges that the soldiers looted all her belongings, leaving her in desolation. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²³²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, Bemba's men came from Bangui, took over the Catholic Church in [REDACTED] and crossed the whole area from south to north causing trouble and committing crimes, including rapes. The applicant further alleges that they looted his house, located in the [REDACTED] area. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁴

Analysis and conclusions

²³² ICC-01/05-01/08-913-Conf-Exp-Anx121, pages 9 to 11.

²³³ ICC-01/05-01/08-913-Conf-Exp-Anx122; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 244 to 245.

²³⁴ ICC-01/05-01/08-913-Conf-Exp-Anx122, 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 belongings by the Banyamulengués of Jean-Pierre Bemba, in late February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués came to [REDACTED] and entered his house, located in the [REDACTED] area. He alleges that they pillaged his house and his shop and they destroyed the latter. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁶

Analysis and conclusions

The Chamber considers that the 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 February 2003, in the [REDACTED] area, [REDACTED]

²³⁵ ICC-01/05-01/08-913-Conf-Exp-Anx123; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 246 to 247.

²³⁶ ICC-01/05-01/08-913-Conf-Exp-Anx123, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 he was at his uncle's farm, located in [REDACTED] on the road to [REDACTED] where he was supervising the work carried out by the labourers. He further alleges that when he went to buy supplies, he fell in the hands of the Banyamulengués who beat him and took all his money and his moped. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁸

Analysis and conclusions

The Chamber considers that the 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 23 November 2002, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 December 2002, six soldiers speaking Lingala entered her house, located in the [REDACTED] area of [REDACTED] and asked for money. She

²³⁷ ICC-01/05-01/08-913-Conf-Exp-Anx128; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 256 to 257.

²³⁸ ICC-01/05-01/08-913-Conf-Exp-Anx128, pages 10 to 12.

²³⁹ ICC-01/05-01/08-913-Conf-Exp-Anx133; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 266 to 267.

claims that they looted her money and 3 mattresses. 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 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 18 December 2002, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 January 2003, he and his mother were on their way back from [REDACTED] to [REDACTED]. He alleges that he was driving his pick up vehicle and that, on the [REDACTED] section, they were stopped by a group of armed men speaking Lingala and French, identified by the applicant as the Banyamulengués. The applicant claims that they ordered him to give them the key of his vehicle and when he hesitated to do so, they started beating him with the bridge of a gun and he fell on the ground. The applicant further claims that his mother tried to protect him covering him with her body and she was shot in the thigh by one of the men. He states that his mother never recovered from the shot and she died on [REDACTED] January 2004. The applicant states that the

²⁴⁰ ICC-01/05-01/08-913-Conf-Exp-Anx133, pages 10 to 12.

²⁴¹ ICC-01/05-01/08-913-Conf-Exp-Anx138; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 276 to 277.

Banyamulengués pillaged his vehicle and all the goods inside. 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, of his deceased mother and 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 suffered personal harm as a result of crimes confirmed against the accused, namely the attempted murder of his mother and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, on 15 January 2003, on the road to [REDACTED] on the [REDACTED] section.

Applicant [REDACTED]

Claim to victim status

The applicant states that in January 2003, the Banyamulengués were on their way to [REDACTED] to fight the rebels of Bozizé. She alleges that they pillaged the houses located in the [REDACTED] village, [REDACTED] including hers. She adds that they brutalized her and took all her belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁴⁴

Analysis and conclusions

²⁴² ICC-01/05-01/08-913-Conf-Exp-Anx138, pages 10 to 12.

²⁴³ ICC-01/05-01/08-913-Conf-Exp-Anx139; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 278 to 279.

²⁴⁴ ICC-01/05-01/08-913-Conf-Exp-Anx139, pages 9 to 11.

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 in January 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, he left his house, located in [REDACTED] and fled to [REDACTED] because the Banyamulengués took control over the village, where they established their base for over a month. He alleges that they pillaged and damaged his house. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 he is a victim under Rule 85 (a) on the basis

²⁴⁵ ICC-01/05-01/08-913-Conf-Exp-Anx140; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 280 to 281.

²⁴⁶ ICC-01/05-01/08-913-Conf-Exp-Anx140, pages 9 to 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 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the Banyamulengués took control over the [REDACTED] village and he fled to the bush seeking refuge. He alleges that they pillaged his belongings and his goats, leaving him in a state of poverty. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁸

Analysis and conclusions

The Chamber considers that the 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 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

²⁴⁷ ICC-01/05-01/08-913-Conf-Exp-Anx141; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 282 to 283.

²⁴⁸ ICC-01/05-01/08-913-Conf-Exp-Anx141, pages 9 to 11.

²⁴⁹ ICC-01/05-01/08-913-Conf-Exp-Anx142; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 284 to 285.

The applicant states that on 27 February 2003, the Banyamulengués took control over the [REDACTED] village and he fled to the bush seeking refuge. She alleges that they pillaged her belongings and her poultry, leaving her in a state of poverty. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁰

Analysis and conclusions

The Chamber considers that the 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 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, Bemba's militia invaded the village of [REDACTED] and occupied it for more than one month. As a consequence, the applicant says that he had to flee to the bush. He claims that they looted his belongings, which he lists, leaving him in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵²

Analysis and conclusions

²⁵⁰ ICC-01/05-01/08-913-Conf-Exp-Anx142, pages 9 to 11.

²⁵¹ ICC-01/05-01/08-913-Conf-Exp-Anx143; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 286 to 287.

²⁵² ICC-01/05-01/08-913-Conf-Exp-Anx143, 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 belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba occupied the village of [REDACTED] he fled to the bush. He alleges that they pillaged his belongings, which he lists, and his cows, leaving him in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁴

Analysis and conclusions

The Chamber notes that the only document attached by the applicant to the application form is a medical card, which does not sufficiently establish the identity of the applicant. Therefore, the application for participation is rejected on this ground.

Applicant [REDACTED]

²⁵³ ICC-01/05-01/08-913-Conf-Exp-Anx144; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 288 to 289.

²⁵⁴ ICC-01/05-01/08-913-Conf-Exp-Anx144, pages 9 to 11.

²⁵⁵ ICC-01/05-01/08-913-Conf-Exp-Anx145; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 290 to 291.

The claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's troops, known as the Banyamulengués, took control over the village of [REDACTED] she fled to the bush, more than 5 km away from her house. She alleges that they entered her house and pillaged her belongings, leaving her in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁶

Analysis and conclusions

The Chamber considers that the 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 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba occupied the village of [REDACTED] he fled and took refuge in the bush. He alleges that they pillaged his belongings and the ones of his parents,

²⁵⁶ ICC-01/05-01/08-913-Conf-Exp-Anx145, pages 9 to 11.

²⁵⁷ ICC-01/05-01/08-913-Conf-Exp-Anx146; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 292 to 293.

leaving them in a state of poverty. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁸

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 house by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba occupied the village of [REDACTED] he fled to the bush. He claims that they pillaged his belongings, which he lists, and his goats. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁰

Analysis and conclusions

The Chamber notes a discrepancy of two years between the date of birth as appearing in the application form and the date of birth provided on the baptism card attached thereto. However, the Chamber notes that the VPRS report states that the applicant confirmed the date of birth in the application form and thus,

²⁵⁸ ICC-01/05-01/08-913-Conf-Exp-Anx146, pages 9 to 11.

²⁵⁹ ICC-01/05-01/08-913-Conf-Exp-Anx147; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 294 to 295.

²⁶⁰ ICC-01/05-01/08-913-Conf-Exp-Anx147, pages 9 to 11.

the Chamber considers that the discrepancy might be the result of an inadvertent clerical error. Accordingly, the Chamber considers that the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, she fled to the bush because the Banyamulengués of Jean Pierre Bemba took control over the village of [REDACTED] and occupied it for over a month. She alleges that they looted her belongings, which she lists, leaving her in a disastrous state. As a result of the alleged events, the applicant claims to have suffered material harm.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

²⁶¹ ICC-01/05-01/08-913-Conf-Exp-Anx148; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 296 to 297.

²⁶² ICC-01/05-01/08-913-Conf-Exp-Anx148, pages 9 to 11.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, she fled to the bush because the Banyamulengués of Jean Pierre Bemba took control over the village of [REDACTED] and occupied it for over a month. She alleges that they looted her belongings, which she lists, and her goats, leaving her in a state of poverty. As a result of the alleged events, the applicant 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 on 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

²⁶³ ICC-01/05-01/08-913-Conf-Exp-Anx149; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 296 to 297.

²⁶⁴ ICC-01/05-01/08-913-Conf-Exp-Anx149, pages 9 to 11.

²⁶⁵ ICC-01/05-01/08-913-Conf-Exp-Anx150; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 300 to 301.

The applicant states that on 27 February 2003, Bemba's militia took control over the village of [REDACTED] and they occupied it for a month. He alleges that they forced him to flee to the bush. He further states that they looted his house leaving him in a state of poverty. The applicant lists his loss. As a result of the alleged events, the applicant 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 on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués took control over the village of [REDACTED] he was at home taking care of his older brother who was very sick. He alleges that he was forced to flee because of the threats of the soldiers, and he had to leave his brother behind. He further states that, during his absence, his brother was beaten to death by the soldiers who also

²⁶⁶ ICC-01/05-01/08-913-Conf-Exp-Anx150, pages 9 to 11.

²⁶⁷ ICC-01/05-01/08-913-Conf-Exp-Anx151; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 302 to 303.

looted his house, leaving him in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁸

Analysis and conclusions

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

Insofar as the alleged murder of the applicant's brother is concerned, the Chamber notes that the applicant does not submit any document demonstrating his identity and their kinship. As a result, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba took control over the village of [REDACTED] she was 8 months pregnant. She alleges that when she heard the first gunshots, she got scared and, as a result, she gave birth prematurely. The applicant further states that she fled to the bush with her baby and that the soldiers looted her belongings, which she

²⁶⁸ ICC-01/05-01/08-913-Conf-Exp-Anx151, pages 9 to 11.

²⁶⁹ ICC-01/05-01/08-913-Conf-Exp-Anx152; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 304 to 305.

lists. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁰

Analysis and conclusions

The Chamber notes an eight months discrepancy between the date of birth as appearing in the application form and the date of birth provided on the document attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of an inadvertent error and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's militia, called the Banyamulengués, took control over the village of [REDACTED] she had to flee to the bush. She further states that the Banyamulengués pillaged all her belongings,

²⁷⁰ ICC-01/05-01/08-913-Conf-Exp-Anx152, pages 9 to 11.

²⁷¹ ICC-01/05-01/08-913-Conf-Exp-Anx153; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 306 to 307.

which she lists, and her livestock, leaving her in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷²

Analysis and conclusions

The Chamber notes a discrepancy between the date of birth as appearing in the application form and on the national identity card, on the one hand, and the date of birth provided on the church card, on the other hand. However, given that the remainder of the information provided in the documents is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of an inadvertent error and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant declares that on 27 February 2003, when Bemba's militia took control over [REDACTED] he had to flee to the bush. He further states that they pillaged his belongings, his livestock and the identity documents of his children.

²⁷² ICC-01/05-01/08-913-Conf-Exp-Anx153, pages 9 to 11.

²⁷³ ICC-01/05-01/08-913-Conf-Exp-Anx154; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 308 to 309.

As a result of the alleged events, the applicant claims to have suffered 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 he is a victim under Rule 85 (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 on 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's militia took control over [REDACTED] he had to flee to the bush in order to seek refuge. He further claims that they pillaged his house and he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁶

Analysis and conclusions

The Chamber considers that the 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

²⁷⁴ ICC-01/05-01/08-913-Conf-Exp-Anx154, pages 9 to 11.

²⁷⁵ ICC-01/05-01/08-913-Conf-Exp-Anx155; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 310 to 311.

²⁷⁶ ICC-01/05-01/08-913-Conf-Exp-Anx155, pages 9 to 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 27 February 2003, in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant claims that on 27 February 2003, when Bemba's militia took control over [REDACTED] he had to flee to the bush. He further claims that they pillaged his house and his livestock, leaving him in a state of poverty. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁸

Analysis and conclusions

The Chamber considers that the 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

²⁷⁷ ICC-01/05-01/08-913-Conf-Exp-Anx156; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 312 to 313.

²⁷⁸ ICC-01/05-01/08-913-Conf-Exp-Anx156, pages 9 to 11.

²⁷⁹ ICC-01/05-01/08-913-Conf-Exp-Anx157; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 314 to 315.

The applicant claims that on 27 February 2003, when Bemba's militia took control over [REDACTED] he had to flee to the bush, 5 km away from his village. He further claims that they pillaged his house, leaving him in a state of misery. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸⁰

Analysis and conclusions

The Chamber considers that the 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 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that, on 27 February 2003, the Banyamulengués of Bemba took control over the village of [REDACTED] and occupied it for over one month. He claims that he had to flee and seek refuge in the bush. He further alleges that they pillaged his house, leaving him in a state of poverty. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸²

²⁸⁰ ICC-01/05-01/08-913-Conf-Exp-Anx157, pages 9 to 11.

²⁸¹ ICC-01/05-01/08-913-Conf-Exp-Anx158; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 316 to 317.

²⁸² ICC-01/05-01/08-913-Conf-Exp-Anx158, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(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 27 February 2003, in [REDACTED] on the road to [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, the Banyamulengués of Jean-Pierre Bemba took control over the village of [REDACTED] and occupied it for more than one month. She further claims that she had to flee to the bush and that they pillaged her house, leaving her in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸⁴

Analysis and conclusions

The Chamber considers that the 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

²⁸³ ICC-01/05-01/08-913-Conf-Exp-Anx159; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 318 to 319.

²⁸⁴ ICC-01/05-01/08-913-Conf-Exp-Anx159, pages 9 to 11.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba occupied the village of [REDACTED] he fled to the bush, 5 km from the village. He alleges that they pillaged his belongings, which he lists, leaving him in a state of poverty. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸⁶

Analysis and conclusions

The Chamber notes a discrepancy of ten years between the date of birth as appearing in the application form and the date of birth provided on the birth certificate attached thereto. However, the Chamber notes that the VPRS report states that the applicant confirmed the date of birth in the birth certificate and thus the Chamber considers that the discrepancy might be the result of an inadvertent error in filling in the form. Thus, the Chamber is satisfied that the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on an unspecified date as of 27 February 2003, in [REDACTED]

²⁸⁵ ICC-01/05-01/08-913-Conf-Exp-Anx160; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 320 to 321.

²⁸⁶ ICC-01/05-01/08-913-Conf-Exp-Anx160, pages 9 to 11.

Applicant [REDACTED]

The claim to victim status

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

The person acting on behalf of the applicant states that on 16 February 2003 the applicant was on her way back from [REDACTED] where she bought merchandise. She alleges that the vehicle in which she was travelling was intercepted by the “Mai-Mai” soldiers of Mr. Bemba in [REDACTED]. He states that they took the women to rape them and, when the applicant tried to resist the violence, she was beaten and finally shot to death. He further claims that the soldiers looted the applicant’s belongings. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant has suffered physical and material harm. In addition, the person acting on behalf of the applicant also claims to have suffered psychological harm due to the death of the daughter.²⁸⁸

Analysis and conclusions

The Chamber notes that the applicant’s date of birth is missing from the death certificate; however, given that the remainder of the information provided in the documents attached to the application is consistent with the data entered thereto, the Chamber is satisfied that the identity of the applicant and that of her father, who is acting on her behalf, as well as their kinship, are sufficiently established.

The Chamber further notes that the applicant’s date of death, as appearing in the claim, does not correspond to the day the applicant died as stated in the death

²⁸⁷ ICC-01/05-01/08-913-Conf-Exp-Anx161; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 322 to 323.

²⁸⁸ ICC-01/05-01/08-913-Conf-Exp-Anx161, pages 9 to 11, 19 to 21.

certificate, but to the day her death was declared. The Chamber considers that this discrepancy might be the result of an inadvertent error in filling the form and, as such, should not serve to exclude the applicant.

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

[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 daughter by the Banyamulengués of Jean-Pierre Bemba on 16 February 2003 in [REDACTED]

Applicant [REDACTED]

The claim to victim status

The applicant states that on 14 November 2002, the Banyamulengués entered his house, located in the [REDACTED] [REDACTED] km from [REDACTED]. He alleges that they raped his wife in front of him and in front of his children, and when the applicant tried to stop the violence, he was severely tortured. In addition, he says that they destroyed everything and pillaged his goods, including his livestock. The applicant claims that they fled to the bush in order to seek refuge. As a result

²⁸⁹ ICC-01/05-01/08-913-Conf-Exp-Anx164; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 328 to 329.

of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁰

Analysis and conclusions

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

In so far as the alleged rape of the applicant's wife is concerned, the Chamber notes that the applicant does not submit any document demonstrating her identity and their kinship. As a result, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on 14 November 2002, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 15 January 2003, he rented a car in order to take his family to Bangui. He alleges that, on their way from [REDACTED] to Bangui, in [REDACTED] they were intercepted by the Banyamulengués, who looted all their belongings and took the car. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹²

²⁹⁰ ICC-01/05-01/08-913-Conf-Exp-Anx164, pages 9 to 11.

²⁹¹ ICC-01/05-01/08-913-Conf-Exp-Anx171; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 342 to 343.

²⁹² ICC-01/05-01/08-913-Conf-Exp-Anx171, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in January 2003, when the Banyamulengués returned to [REDACTED] she fled to the bush together with her husband and her children. She claims that, two days after, because of the lack of food, her husband went looking for some supply. The applicant states that they killed him and that she and her children had to walk all the way to Bangui. She states that she had no shoes and she had to walk barefoot. The applicant claims that she lost all her household belongings and the money she had with her. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁹⁴

Analysis and conclusions

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

²⁹³ ICC-01/05-01/08-913-Conf-Exp-Anx172; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 344 to 345.

²⁹⁴ ICC-01/05-01/08-913-Conf-Exp-Anx172, pages 9 to 11.

In so far as the alleged murder of the applicant's husband is concerned, the Chamber notes that the applicant does not submit any document demonstrating his identity and their kinship. As a result, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that before the Ramadan of 2003, when they knew that the Banyamulengués were approaching [REDACTED] the *libérateurs* left. She claims that the Banyamulengués looted her house, located in [REDACTED] close to [REDACTED] [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹⁶

Analysis and conclusions

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

The Chamber notes that the applicant does not indicate the precise date of the alleged event but only mentions that the event occurred before the Ramadan of 2003, which, according to the Islamic calendar, took place from 27 October 2003

²⁹⁵ ICC-01/05-01/08-913-Conf-Exp-Anx173; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 346 to 347.

²⁹⁶ ICC-01/05-01/08-913-Conf-Exp-Anx173, pages 9 to 11.

to 26 November 2003. This would as such 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 the 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba before the Ramadan of 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that before the Ramadan of 2003, when they felt that the Banyamulengués were approaching [REDACTED] the *libérateurs* left. She alleges that the Banyamulengués accused her of being the accomplices of the *libérateurs*, tied her hands and, when they wanted to rape her 12 years old daughter, she tried to protect her, and the Banyamulengués started beating her. She further states that they looted her house, located in [REDACTED] close to the [REDACTED] [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁹⁸

Analysis and conclusions

²⁹⁷ ICC-01/05-01/08-913-Conf-Exp-Anx174; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 348 to 349.

²⁹⁸ ICC-01/05-01/08-913-Conf-Exp-Anx174, pages 9 to 11.

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

The Chamber notes that the applicant does not indicate the precise date of the alleged event but only mentions that the event occurred before the Ramadan of 2003, which, according to the Islamic calendar, took place from 27 October 2003 to 26 November 2003. This would as such 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 the 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 pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba before the Ramadan of 2003, in [REDACTED]

Applicant [REDACTED]

Claim to victim status

The applicant states that in January 2003, when the Banyamulengués arrived in [REDACTED] she fled to the bush and, upon her return, she found that all her belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁰

Analysis and conclusions

²⁹⁹ ICC-01/05-01/08-913-Conf-Exp-Anx175; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 350 to 351.

³⁰⁰ ICC-01/05-01/08-913-Conf-Exp-Anx175, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in January 2003, she visited her sick aunt in [REDACTED] in order to bring her medicines. She states that one night, when she was at her aunt's place with her uncle, in the [REDACTED] of [REDACTED] 4 of the Bemba's rebels broke into the house and asked them for food. When she refused, the four men started raping her one after the other, until she fainted. She further states that, when she recovered, she saw that her uncle was lying on the floor because he had been savagely beaten and tortured by Bemba's men, and she claims that, as a result of the violence, he died. The applicant contends that they also looted the house, including her personal belongings, which she lists and values. She further contends that after the events she started having health problems. As a result of the alleged events, she claims to have suffered physical, psychological and material harm.³⁰²

Analysis and conclusions

³⁰¹ ICC-01/05-01/08-913-Conf-Exp-Anx176; ICC-01/05-01/08-915-Conf-Exp-Anx3, pages 352 to 353.

³⁰² ICC-01/05-01/08-913-Conf-Exp-Anx176, pages 9 to 11, 17 to 21.

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

In so far as the alleged murder of the applicant's uncle is concerned, the Chamber notes that the applicant does not submit any document demonstrating his identity and their kinship. As a result, only rape and pillage will be considered for the purpose of the present assessment.

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