

ANNEX A

Group A: Bangui/PK12

- **Ninth transmission - ICC-01/05-01/08-1381-Conf-Exp-Anxs**

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués invaded [REDACTED] and set up their base in the area behind the school. The applicant alleges that she had to flee to the bush with her family, where they stayed for one month and a half. The applicant maintains that during their absence, the Banyamulengués pillaged all their belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²

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-

¹ ICC-01/05-01/08-1381-Conf-Exp-Anx77; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 237 to 238.

² ICC-01/05-01/08-1381-Conf-Exp-Anx77, pages 4 to 5, 9 to 10

Pierre Bemba in [REDACTED] on an unspecified date between February and 15 March 2003.

Applicant [REDACTED]³

Claim to victim status

The applicant alleges that on 3 November 2002, Mr Bemba's armed men came to his house in [REDACTED] [REDACTED] in order to forcefully evict him and his family. The applicant claims that they fled to the bush where they stayed for five months. According to the applicant, upon their return, they found that their belongings had been pillaged during their absence. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]⁵

³ ICC-01/05-01/08-1381-Conf-Exp-Anx136; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 273 to 274.

⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx136, pages 4 to 5, 8 to 9.

⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx137; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 275 to 276.

Claim to victim status

The applicant claims that on 29 October 2002, Mr Bemba's men, who were armed and who were wearing military uniforms, invaded his house, located in the [REDACTED] area, and pillaged his belongings. He further states that they killed 6 people and pillaged all the houses in the village. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 29 October 2002.

Applicant [REDACTED]⁷**Claim to victim status**

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms, shot at the walls of her house located in [REDACTED] with the purpose of forcefully evicting her and her family. The applicant further states that she fled, together with her family. She alleges that, during their absence, Mr Bemba's men pillaged her belongings. The applicant

⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx137, pages 4 to 5, 8 to 9.

⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx138; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 277 to 278.

appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸

Analysis and conclusions

The Chamber notes a discrepancy of 3 days between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]⁹

Claim to victim status

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's men went to his house in the [REDACTED] area of [REDACTED] with the purpose of forcefully evicting him and his family. The applicant alleges that they occupied his house for five months and upon their return, they found that their belongings and livestock had been pillaged during their absence. The applicant appends a document in

⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx138, pages 4 to 5, 9.

⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx139; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 279 to 280.

which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]¹

Claim to victim status

The applicant alleges that on 28 October 2002, Jean-Pierre Bemba's armed men went to his house in [REDACTED] with the purpose of forcefully evicting him and his family. The applicant claims that they fled, without taking any belongings, taking the road to [REDACTED]. He contends that Mr Bemba's men occupied his house for five months and pillaged his belongings. He further states that while he was fleeing, he was intercepted by some of Mr Bemba's rebels, who searched him and took the money he was carrying with him. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²

¹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx139, pages 4 to 5, 9.

¹¹ ICC-01/05-01/08-1381-Conf-Exp-Anx140; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 281 to 282.

¹² ICC-01/05-01/08-1381-Conf-Exp-Anx140, pages 4 to 5, 10.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]³

Claim to victim status

The applicant claims that on 28 October 2002, upon the arrival of Jean-Pierre Bemba's armed men at her house, located in [REDACTED], [REDACTED] on the road to [REDACTED] she fled the area, together with her children. She alleges that, during her absence, they pillaged all her belongings and money. She further contends that her house was occupied by the assailants for five months. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴

Analysis and conclusions

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

¹³ ICC-01/05-01/08-1381-Conf-Exp-Anx141; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 283 to 284.

¹⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx141, pages 4 to 5, 8.

inadvertent error in filling in the form and is therefore satisfied that the identity of the applicant is sufficiently demonstrated.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]⁵

Claim to victim status

The applicant claims that on 29 October 2002, Jean-Pierre Bemba's men invaded [REDACTED] [REDACTED] firing shots in the air and at the walls of houses. She further claims that people were evicted from their houses and others were killed. She states that nobody was spared from the acts of violence. She further states that her house was pillaged and occupied by Mr Bemba's men for five months. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶

Analysis and conclusions

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

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

¹⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx142; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 285 to 286.

¹⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx142, pages 4 to 5, 8.

accused, namely the pillage of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 29 October 2002.

Applicant [REDACTED]⁷

Claim to victim status

The applicant claims that on 28 October 2002, upon the arrival of Jean-Pierre Bemba's men, who were armed and wearing military uniforms, in [REDACTED] she fled the area, together with her family, without taking any of her belongings. She further states that, during her absence, Mr Bemba's men pillaged her belongings and occupied her house for five months. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]¹⁹

¹⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx143; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 287 to 288.

¹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx143, pages 4 to 5, 8.

¹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx144; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 289 to 290.

Claim to victim status

The applicant claims that on 26 October 2002, his house, located in [REDACTED] was invaded by Jean-Pierre Bemba's men, who were armed and who were wearing military uniforms. He further states that he fled together with his family in order to find refuge in the fields. He alleges that, during their absence, his belongings were pillaged and his house was occupied for five months by the Banyamulengués. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰

Analysis and conclusions

The Chamber notes a discrepancy of 10 days between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]

²⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx144, pages 4 to 5, 9.

²¹ ICC-01/05-01/08-1381-Conf-Exp-Anx145; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 291 to 292.

Claim to victim status

The applicant alleges that on 26 October 2002, Jean-Pierre Bemba's armed men went to her house in [REDACTED], with the purpose of forcefully evicting her and her family. The applicant claims that they fled, without taking any belongings. She contends that her house was then occupied by Mr Bemba's men. She further states that, during her absence, Mr Bemba's men pillaged all her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

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

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's men, who were armed and wearing military uniforms, evicted her and her family from their house, located in [REDACTED] forcing them to flee the area, without taking any

²² ICC-01/05-01/08-1381-Conf-Exp-Anx145, pages 4 to 5, 9.

²³ ICC-01/05-01/08-1381-Conf-Exp-Anx146; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 293 to 294.

belongings. She further states that, during her absence, Mr Bemba's men occupied her house for five months and pillaged all her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's armed men invaded his shop, located in [REDACTED] and pillaged all the merchandise. He contends that, on the same day, after he had fled the area, Mr Bemba's men occupied his house for five months and pillaged all his belongings. The applicant appends a document in which he values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶

Analysis and conclusions

²⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx146, pages 4 to 5, 9.

²⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx147; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 295 to 296.

²⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx147, pages 4 to 5, 9.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002, Jean-Pierre Bemba's men, who were armed, wearing military uniforms and speaking Lingala, arrived in the [REDACTED] of [REDACTED]. He states that upon their arrival, he and his family fled the area without taking any of their belongings. He contends that, during his absence, Mr Bemba's men occupied his house for five months, pillaged his belongings and destroyed the doors and windows of the house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸

Analysis and conclusions

The Chamber considers that the 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

²⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx148; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 297 to 298.

²⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx148, pages 4 to 5, 9.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 28 October 2002, Jean-Pierre Bemba's men, who were armed and wearing military uniforms invaded [REDACTED]. He states that, as the assailants were pillaging and committing acts of violence in the whole neighbourhood, he fled the area with his family, without taking any of their belongings. He contends that, during his absence, Mr Bemba's men occupied his house for five months and pillaged all his belongings and livestock. He further claims that they broke into his shop and pillaged all the merchandise which was inside. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰

Analysis and conclusions

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

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

²⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx149; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 299 to 300.

³⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx149, pages 4 to 5, 8.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 27 October 2002, Jean-Pierre Bemba's men, who were armed and wearing military uniforms, broke into his shop, located in [REDACTED] and pillaged all the merchandise. He further states that they also pillaged the two rooms which were located inside the shop. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

³¹ ICC-01/05-01/08-1381-Conf-Exp-Anx150; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 301 to 302.

³² ICC-01/05-01/08-1381-Conf-Exp-Anx150, pages 4 to 5, 9.

³³ ICC-01/05-01/08-1381-Conf-Exp-Anx151; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 303 to 304.

The applicant states that on 27 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms, broke into his house, located in [REDACTED] [REDACTED] drove him and his family out and occupied the house for a period of five months. He further claims that the men pillaged all his belongings and livestock, as well as his shop and his merchandise. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Friday morning between 26 and 30 October 2002, during the confrontations between Jean-Pierre Bemba's MLC soldiers and

³⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx151, pages 4 to 5 and 9.

³⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx152; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 305 to 306.

Central African armed forces in [REDACTED] he fled his house, located in the [REDACTED]. He alleges that, during his absence, his house was entirely pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.³⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Friday between 26 and 30 October 2002, during the confrontations between the Banyamulengués soldiers and Central African armed forces, in Bangui, he fled to a safe area. He states that, during his absence, his house, located in [REDACTED] was entirely pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸

Analysis and conclusions

³⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx152, pages 4 to 5.

³⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx153; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 307 to 308.

³⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx153, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 25 November 2002, her house which is located in [REDACTED], was pillaged and she lists and values her loss. According to the applicant, Mr Jean-Pierre Bemba is responsible for the event. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 25 November 2002.

³⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx190; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 13 to 14.

⁴⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx190, pages 9 to 13.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 25 November 2002, the Banyamulengués took control of [REDACTED]. According to the applicant, they started firing their weapons indiscriminately, whereupon the applicant fled from the area. The applicant claims that, upon his return, he found that his house had been broken into and that his belongings had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] on 25 November 2002.

Applicant [REDACTED]

Claim to victim status

⁴¹ ICC-01/05-01/08-1381-Conf-Exp-Anx191; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 15 to 16.

⁴² ICC-01/05-01/08-1381-Conf-Exp-Anx191, pages 9 to 13.

⁴³ ICC-01/05-01/08-1381-Conf-Exp-Anx193; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 19 to 20.

The applicant claims that on 31 October 2010, when he wanted to visit his son who was hospitalised, he heard gunshots which were coming from [REDACTED] and fled to the bush. When he arrived in [REDACTED] he saw the Banyamulengués who started firing their guns, forcing the applicant to flee and sleep in the bush. The following day, he returned to his house, located in [REDACTED] and learned that his house had been pillaged. As he saw other Banyamulengués who were heading towards [REDACTED] he fled to a hill. He contends that he was intercepted by the Banyamulengués, who robbed him and threatened to kill him, claiming that he was a rebel and a spy. They then brought him to their chief but he was rescued by a woman he knew and where he stayed over the following night. When he returned to his house on 2 November 2002, he noted the extent of the loss. The applicant appends a document in which he lists and values the looted items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 31 October and 2 November 2002.

⁴⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx193, pages 9 to 13, 24 to 25.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, Jean-Pierre Bemba's men pillaged his house, located in the [REDACTED] area, taking his merchandise and personal belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁶

Analysis and conclusions

The Chamber notes that the applicant provides a *certificat d'identité scolaire* as proof of identity. While mindful that such document is not included in the list of documents accepted by the Chamber, the Chamber considers that this document has similar features as the documents which have been explicitly approved by the Chamber, notably *cartes de fréquentation scolaire* and student cards, and is therefore satisfied that this document sufficiently demonstrates the identity of the applicant.

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

Applicant [REDACTED]

Claim to victim status

⁴⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx195; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 21 to 22.

⁴⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx195, pages 9 to 13.

⁴⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx196; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 23 to 24.

The applicant alleges that on 23 January 2003, the Banyamulengués came to her house, located in [REDACTED] [REDACTED] and three of the soldiers raped her, one after the other. She further states that they beat her husband and pillaged her belongings, including a sum of money. The applicant claims that, because of the rape, her husband abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁸

Analysis and conclusions

The Chamber notes a discrepancy of two days between the applicant's date of birth as appearing on the application form and the birth certificate attached thereto. However, given that the remainder of the information provided in the form is consistent with the information appearing on the birth certificate, the Chamber considers that this might be the result of inadvertent error in filling in the form and is thus satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 January 2003.

Applicant [REDACTED]

Claim to victim status

⁴⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx196, pages 9 to 13.

⁴⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx197; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 25 to 26.

The applicant alleges that on 23 December 2002, the Banyamulengués pillaged his boutique and his house in [REDACTED] in the [REDACTED] District of Bangui. He contends that they took his merchandise of an estimate value of 2,500,000 CFA, personal belongings worth approximately 1,800,000 CFA as well as a sum of 2,100,000 CFA which he was carrying with him in order to put it on his bank account. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰

Analysis and conclusions

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

The Chamber notes that the applicant alleges the pillage of merchandise and personal belongings of a total estimated value of 4,300,000 CFA as well as a sum of 2,100,000 CFA that he intended to put on his bank account. Given that, at the time of the events, the applicant was only 13 years old, the Chamber considers that the applicant's account undermines the credibility of the applicant. Accordingly, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 23 November 2002, Mr Bemba's rebel troops came to his house, located in [REDACTED] [REDACTED] and pillaged his belongings and money. According to the applicant, during the attack, his wife fell on their two day old child, who died two days later. He further states that he was beaten by

⁵⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx197, pages 9 to 13.

⁵¹ ICC-01/05-01/08-1381-Conf-Exp-Anx198; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 27 to 28.

the rebels. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.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 belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, upon the arrival of the Banyamulengués in the [REDACTED] area, he fled the area, leaving his house behind. He contends that during his absence, the Banyamulengués pillaged his personal belongings and farm animals. The applicant lists his loss. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁵⁴

Analysis and conclusions

⁵² ICC-01/05-01/08-1381-Conf-Exp-Anx198, pages 9 to 13.

⁵³ ICC-01/05-01/08-1381-Conf-Exp-Anx199; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 29 to 30.

⁵⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx199, pages 9 to 13.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 23 November 2002 when the Banyamulengués returned from [REDACTED] they came to his pigsty, which is located in the [REDACTED] area, [REDACTED]. He claims that they killed 23 pigs, and transported them to the Oubangui River in order to take them to Zongo. The applicant alleges that they returned on 24 November 2002, killed the remaining 28 pigs and took the meat. The applicant maintains that they also pillaged his house and took his belongings and a sum of money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁶

Analysis and conclusions

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

⁵⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx200; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 31 to 32.

⁵⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx200, pages 9 to 13.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 and 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 November 2002, while returning from a trip and upon his arrival in [REDACTED] Mr Bemba's men took the truck he was travelling in and looted all his merchandise and money. They also pillaged the merchandise of the other passengers. The applicant further claims that all the passengers were beaten. The applicant lists and values his loss. As a result of the alleged events, he claims to have suffered physical and psychological harm.⁵⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 29 November 2002.

⁵⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx201; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 33 to 34.

⁵⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx201, pages 9 to 12.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 November 2002, a troop of Mr Bemba broke into his hardware store in [REDACTED] and pillaged all his merchandise. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material and harm.⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 20 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, Mr Bemba's troops broke into her house located in [REDACTED] [REDACTED] [REDACTED] with the intention of driving her and her family out. She claims that her children fled the house but she was

⁵⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx209; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 49 to 50.

⁶⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx209, pages 9 to 13 and 22 to 24.

⁶¹ ICC-01/05-01/08-1381-Conf-Exp-Anx215-Corr; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 53 to 54.

apprehended by seven soldiers, who attempted to rape her. She alleges that she was saved by the intervention of some youths of the area, and that one of them was shot dead. She further states that the troops occupied her house for five months, and that during this time, they pillaged all her belongings and livestock. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, while he was going to sell his merchandise, the vehicle he was travelling in was intercepted by the Banyamulengués at the level of [REDACTED]. He alleges that the soldiers took all his belongings as well as those of the other passengers. The applicant claims that the

⁶² ICC-01/05-01/08-1381-Conf-Exp-Anx215-Corr, pages 9 to 12 and 19.

⁶³ ICC-01/05-01/08-1381-Conf-Exp-Anx216; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 55 to 56.

Banyamulengués asked them for money and threatened to kill them, alleging that they were rebels. He further states that they took the women who were in the vehicle to an unknown destination. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

Applicant [REDACTED]⁵

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués were returning to [REDACTED] in the DRC, they pillaged his house located in [REDACTED] District of Bangui. He declares that he is a retired civil servant and that as a result of the events, all the possessions he had accumulated while in employment have disappeared. The applicant further states that the Banyamulengués also pillaged the merchandise of his shop. The applicant lists and values his loss. As a result of

⁶⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx216, pages 9 to 13 and 21.

⁶⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx217; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 57 to 58.

the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 November 2002, upon the arrival of the Banyamulengués in [REDACTED] she closed her shop and took shelter in her house. She contends that, during her absence, the Banyamulengués looted and destroyed her shop and also pillaged the items from her house. The applicant lists and values her loss. As a result of the alleged events, she claims to have suffered psychological and material harm.⁶⁸

Analysis and conclusions

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

⁶⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx217, pages 9 to 13.

⁶⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx218; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 59 to 60.

⁶⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx218, pages 9 to 13.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, upon the arrival of the Banyamulengués in Bangui, he fled the area. He alleges that he returned the following day and found that during his absence, his house, located in the [REDACTED] area, was broken into and all his belongings were pillaged. The applicant lists and values his loss. As a result of the alleged events, he claims to have suffered psychological and material harm.⁷⁰

Analysis and conclusions

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

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

⁶⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx219; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 61 to 62.

⁷⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx219, pages 9 to 13.

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

The applicant states that on 23 November 2002, when the Banyamulengués arrived in the [REDACTED] area of [REDACTED], he fled and hid in the bush. He alleges that when he returned home the next day, he found that they had pillaged his personal belongings and merchandise during his absence. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷²

Analysis and conclusions

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

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

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

The applicant, a butcher at the [REDACTED] [REDACTED] in the [REDACTED] District of Bangui, states that on 22 November 2002, on his way back from buying cattle, he was intercepted by the Banyamulengués. He alleges that he attempted to flee but they

⁷¹ ICC-01/05-01/08-1381-Conf-Exp-Anx220; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 63 to 64.

⁷² ICC-01/05-01/08-1381-Conf-Exp-Anx220, pages 9 to 13.

⁷³ ICC-01/05-01/08-1381-Conf-Exp-Anx221; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 65 to 66.

stopped and tortured him and, as a consequence, he still has problems with his right leg. He further states that they killed his cattle and used him to transport the meat to a location along the Oubangui River. He states that he also lost a sum of money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba on the way to Bangui on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués arrived in Bangui. He states that they were firing in the air, whereupon the applicant and his family fled to the fields. He alleges that upon their return, they noticed that his shop and his house, located in the [REDACTED] area have been looted. The applicant values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁶

⁷⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx221, pages 9 to 13.

⁷⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx224; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 67 to 68.

⁷⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx224, pages 9 to 13.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 his house, located in [REDACTED] [REDACTED] Bangui, was pillaged by Mr Bemba's men. He alleges that when they arrived, they started firing their weapons in an indiscriminate manner, whereupon he and his family fled. The next day, when they returned, they found that the door of their house had been broken and that Mr Bemba's men had pillaged all their belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁸

Analysis and conclusions

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

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

⁷⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx227; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 69 to 70.

⁷⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx227, pages 9 to 13.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, Mr Bemba's men entered his house, located in [REDACTED] Bangui, and pillaged all his belongings and merchandise. He further claims that his sister was raped by the Banyamulengués. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁰

Analysis and conclusions

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

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

⁷⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx228; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 71 to 72.

⁸⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx228, pages 9 to 13.

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

The applicant states that on 23 November 2002, the Banyamulengués broke into her house, located in [REDACTED] Bangui, and pillaged her belongings. She claims that they forced her to transport her belongings to the Oubangi River, where they forced her to lie down on the ground and where she was raped by four of them. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁸²

Analysis and conclusions

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

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

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

The applicant states that on 23 November 2002, upon the arrival of Mr Bemba's men in the [REDACTED] area of Bangui, he and his family fled. He alleges that during his absence, they looted all his belongings. The applicant lists and values his loss.

⁸¹ ICC-01/05-01/08-1381-Conf-Exp-Anx229; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 73 to 74.

⁸² ICC-01/05-01/08-1381-Conf-Exp-Anx229, pages 9 to 13.

⁸³ ICC-01/05-01/08-1381-Conf-Exp-Anx230; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 75 to 76.

As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, the Banyamulengués invaded [REDACTED], where her house was located. She claims that they started firing shots, whereupon she fled. She alleges that they broke the door and took her belongings during her absence. The applicant lists and values her loss. She adds that the event occurred when Mr Bemba's soldiers were attacked by Mr Bozizé's soldiers and wanted to return to Zongo. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁶

Analysis and conclusions

⁸⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx230, pages 9 to 13.

⁸⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx234; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 77 to 78.

⁸⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx234, pages 9 to 11 and 13.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 December 2002, while he was travelling with merchandise he intended to sell at the [REDACTED] market, a group of Banyamulengués intercepted the vehicle in which he was travelling at the level of [REDACTED]. He alleges that they pillaged his belongings, a sum of money, and his merchandise. He further claims that they also beat and tortured him and the other passengers and threatened to kill them if they did not give them their money. Finally, he adds that the women in the truck were taken to an unknown destination. The applicant lists and values his loss. As a result of the alleged events, he claims to have suffered psychological and material harm.⁸⁸

Analysis and conclusions

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

⁸⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx235; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 79 to 80.

⁸⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx235, pages 9 to 13.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, the Banyamulengués arrived in [REDACTED] and he closed his store, located on the road to [REDACTED] and went to his house, located in [REDACTED]. He alleges that after two days, he decided to return to his store and found that it had been destroyed and his merchandise was lost. He further states that he saw the Banyamulengués in the area and thus decided to return to his house. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁰

Analysis and conclusions

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

The Chamber observes that the applicant states that his boutique was destroyed and that he lost his merchandise. In this regard, the Chamber recalls that it has already ruled that in case of destruction of property by fire, when there is no indication that the property was looted before being destroyed, applications for

⁸⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx236; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 81 to 82.

⁹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx236, pages 9 to 11 and 13.

participation will be rejected.⁹¹ The Chamber considers that this consideration also applies to instances where the applicant claims that property was destroyed. In the present case, the applicant does not provide any indication that his property was pillaged and as a result, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 when the Banyamulengués invaded [REDACTED] she was raped by five soldiers and her belongings were pillaged. She also states that the soldiers took her son and made him transport the property they had pillaged to the Oubangui River. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹³

Analysis and conclusions

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

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

⁹¹ ICC-01/05-01/08-1017, paragraph 56.

⁹² ICC-01/05-01/08-1381-Conf-Exp-Anx237; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 83 to 84.

⁹³ ICC-01/05-01/08-1381-Conf-Exp-Anx237, pages 9 to 13.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 21 December 2002, when Jean-Pierre Bemba's troops arrived in [REDACTED] [REDACTED] he and his family were obliged to leave their house. He alleges that the Banyamulengués pillaged his belongings, money and merchandise. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] [REDACTED] on 21 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, when the Banyamulengués invaded [REDACTED] she and her siblings fled their house and went to hide in the bush. She alleges that the Banyamulengués occupied their house for two weeks and pillaged their belongings. The applicant appends a document in which she

⁹⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx238; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 85 to 86.

⁹⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx238, pages 9 to 13.

⁹⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx244; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 91 to 92.

lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹⁷

Analysis and conclusions

The Chamber considers that the 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 family's house, to the extent of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 October 2002, the Banyamulengués who were under the command of Jean-Pierre Bemba started to commit pillage and armed robberies. She alleges that they entered her house located in [REDACTED] and pillaged her belongings, leaving her in a state of poverty. The applicant appends a document in which she lists and values her loss. The applicant further states that the Banyamulengués were called in by the authorities in order to safeguard the regime but, together with their leader, they betrayed their mission. As a

⁹⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx244, pages 9 to 13 and 21.

⁹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx245; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 93 to 94.

result of the events, the applicant claims to have suffered psychological and material harm.⁹⁹

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (23 October 2002) falls outside the temporal scope of the case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 22 November 2002 and 15 March 2003, Jean-Pierre Bemba's troops had their base in the [REDACTED] District of Bangui. He claims that they pillaged the houses there and that on 23 and 24 November 2002, they came to his house in [REDACTED] to pillage his belongings. The applicant adds that he

⁹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx245, pages 9 to 13 and 21 to 23.

¹⁰⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx248; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 95 to 96.

and his family had to transport the items to the [REDACTED] [REDACTED] at the shore of the Oubangui River, from where they were shipped to Zongo. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 and 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, Jean-Pierre Bemba's soldiers pillaged his house, located in [REDACTED] Bangui. The applicant lists and values his loss, which includes a sum of money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰³

Analysis and conclusions

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

¹⁰¹ ICC-01/05-01/08-1381-Conf-Exp-Anx248, pages 9 to 13.

¹⁰² ICC-01/05-01/08-1381-Conf-Exp-Anx249; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 97 to 98.

¹⁰³ ICC-01/05-01/08-1381-Conf-Exp-Anx249, pages 9 to 13.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués arrived in the [REDACTED] area of Bangui, she left her house and fled to her fields where she stayed for two days. She alleges that when she returned to her house, she found that the soldiers had broken into it and looted her belongings. She values her loss. The applicant further states that she found a dead body. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 24 November 2002.

¹⁰⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx250; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 99 to 100.

¹⁰⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx250, pages 9 to 13.

Applicant [REDACTED]

Claim to victim status

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

It is stated that in November 2002, while the applicant and his partner were in the fields in [REDACTED] they were intercepted by the Banyamulengués who allegedly shot and killed the applicant. The person acting on behalf of the applicant appends a death certificate certifying that the death occurred on 2 November 2002. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.¹⁰⁷

Analysis and conclusions

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

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

¹⁰⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx256; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 103 to 104.

¹⁰⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx256, pages 9 to 11.

¹⁰⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx257; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 105 to 106.

Claim to victim status

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

It is stated that on 19 November 2002, the applicant, a cattle trader, was killed by the Banyamulengués at the market of [REDACTED]. It is further stated that the four shepherds that were with the applicant were also killed by the soldiers and that the applicant's livestock was lost. The person acting on behalf of the applicant lists and values the loss and appends a death certificate, which certifies that the death of the applicant occurred on 19 November 2002. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.¹⁰⁹

Analysis and conclusions

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

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder and the pillage of his livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 November 2002. 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

¹⁰⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx257, pages 9 to 11.

harm as a result of crimes confirmed against the accused, namely the murder of his father by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 November 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 16 October 2002, while the applicant was on her way to the [REDACTED] Bangui, she encountered three Banyamulengués at the level of the [REDACTED] who chased her and raped her. The person acting on behalf of the applicant states that the applicant died after the events due to the lack of medical care and anxiety and embarrassment. She appends a death certificate in which it is stated that the death occurred on [REDACTED] November 2002. It is stated that the applicant's two children are now under the care of the person acting on behalf of the applicant. As a result of the alleged events, it is claimed that the applicant suffered physical and psychological harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.¹¹¹

Analysis and conclusions

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

¹¹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx258; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 107 to 108.

¹¹¹ ICC-01/05-01/08-1381-Conf-Exp-Anx258, pages 9 to 11.

The Chamber notes that the date provided on behalf of the applicant (16 October 2002) falls outside the temporal scope of the case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, notably the fact that the death of the applicant occurred on ■ November 2002, and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant's claim. Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean Pierre Bemba in ■ on an unspecified date between 26 October and ■ November 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the rape of her sister by the Banyamulengués of Jean-Pierre Bemba in ■ on an unspecified date between 26 October 2002 and ■ November 2002.

Applicant ■

Claim to victim status

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

¹¹² ICC-01/05-01/08-1381-Conf-Exp-Anx261; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 109 to 110.

It is stated that on 22 October 2002, the applicant, who was a driver, was carrying passengers in his minibus. It is stated that the Banyamulengués intercepted the vehicle in [REDACTED] asked the passengers to step down from the vehicle and beat up the applicant with truncheons. It is claimed that the applicant sustained severe injuries and was brought to the hospital. However, he did not recover from his injuries and died. The death certificate appended to the application indicates that the death occurred on [REDACTED] December 2002. The person acting on behalf of the applicant also appends a police report listing the loss of various items, including a vehicle, furniture, goats and cattle. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.¹¹³

Analysis and conclusions

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

The Chamber notes that the date provided on behalf of the applicant (22 October 2002) falls outside the temporal scope of the case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, notably the fact that the death certificates indicates that the death occurred on [REDACTED] December 2002, and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant's claim. However, the Chamber considers that the application does not provide sufficient information in relation to the circumstances of the loss of the items listed in the application form and in the police report. As a consequence, only the alleged

¹¹³ ICC-01/05-01/08-1381-Conf-Exp-Anx261, pages 9 to 11.

murder of the applicant will be considered for the purpose of the present assessment. Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean Pierre Bemba in [REDACTED] on an unspecified date between 26 October and [REDACTED] December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2002, the Banyamulengués invaded the [REDACTED] area of Bangui. She alleged that she and her family fled and sought shelter in the [REDACTED] area. When they returned to their concession, they found that everything in the house had been looted and the walls had been damaged by bullet holes. The applicant claims that the events left them traumatized and that they have been unable to return to their home. The applicant appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁵

Analysis and conclusions

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

¹¹⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx262; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 111 to 112.

¹¹⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx262, 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 in the [REDACTED] area of Bangui on an unspecified date in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in 2002, the Banyamulengués, whom she recognised because they were speaking Lingala, arrived in [REDACTED] As the Banyamulengués started beating people, the applicant and her family fled. The applicant claims that when they returned, they found that everything had been looted and the house was empty. The applicant lists part of her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁷

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (2002) is broad and, as such might, fall outside the temporal scope of the case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, notably the fact that the applicant contends that she recognized the Banyamulengués because they were speaking Lingala, and taking into

¹¹⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx263; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 113 to 114.

¹¹⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx263, pages 9 to 11.

account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant's claim. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 October 2002, the Banyamulengués arrived in [REDACTED] whereupon she and her family fled, leaving their house behind. According to the applicant, upon their return, they found that the Banyamulengués had pillaged their house, located in the [REDACTED] area of [REDACTED] and taken all their belongings. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁹

Analysis and conclusions

The Chamber notes that the applicant provides an "acte de notoriété" as proof of identity. While mindful that such document is not included in the list of documents accepted by the Chamber, the Chamber considers that this document has similar features as the documents which have been explicitly approved by

¹¹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx265; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 115 to 116.

¹¹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx265, pages 9 to 11.

the Chamber, notably a birth certificate or an *acte supplétif*, and is therefore satisfied that this document sufficiently demonstrates the identity of the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, following the arrival of the Banyamulengués, she fled with her family and sought refuge in the [REDACTED] area. According to the applicant, upon their return, approximately 9 days later, they found that their house, located in the [REDACTED] area of [REDACTED], had been broken into and their belongings and merchandise had been pillaged. The applicant claims that she was left without any income and unable to provide for her children. The applicant lists her loss. As a result of the alleged events, the applicant claims that she suffered material harm.¹²¹

Analysis and conclusions

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

¹²⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx266; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 117 to 118.

¹²¹ ICC-01/05-01/08-1381-Conf-Exp-Anx266, pages 9 to 11 and 18.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, upon the arrival of the Banyamulengués, who spoke only Lingala, in [REDACTED], she fled with her family. According to the applicant, they stayed away for approximately 12 days and, upon their return, they found that their house, located in the [REDACTED] area, had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 31 October 2002.

¹²² ICC-01/05-01/08-1381-Conf-Exp-Anx267; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 119 to 120.

¹²³ ICC-01/05-01/08-1381-Conf-Exp-Anx267, pages 9 to 11 and 18.

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

The applicant states that on 5 November 2002, a group of armed men from the rebel forces of Jean-Pierre Bemba came to his house, located in [REDACTED] and asked him for money. According to the applicant, when he told them he did not have any money, they started pillaging all his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 5 November 2002.

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

The applicant states that on 10 November 2002, the Banyamulengués came to his house, located in [REDACTED] [REDACTED] and pillaged his belongings. According to the

¹²⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx271; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 121 to 122.

¹²⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx271, pages 9 to 11 and 18 to 21.

¹²⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx272; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 123 to 124.

applicant, he was driven out of his house but he hid behind the house, from where he watched the rebels looting his belongings and livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], [REDACTED] on 10 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the armed rebels of Mr Bemba, who were speaking Lingala, drove her and her family out of their house, located in [REDACTED] [REDACTED]. According to the applicant, during their flight, her husband was shot in the back and he subsequently died. The applicant claims that the rebels then occupied their house for a period of five months and pillaged all their belongings. The applicant appends a document in which she lists and values her

¹²⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx272, pages 9 to 11 and 20 to 21.

¹²⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx273; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 125 to 126.

loss. As a result of the alleged events, the applicant claims that she suffered psychological and material harm.¹²⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the rebels of Jean-Pierre Bemba drove him out of his house, located in [REDACTED] whereupon he fled to the fields, together with his family. He alleges that his belongings and livestock were pillaged by Mr Bemba's men during his absence. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³¹

¹²⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx273, pages 9 to 11 and 19.

¹³⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx274; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 127 to 128.

¹³¹ ICC-01/05-01/08-1381-Conf-Exp-Anx274, pages 9 to 11 and 19.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, the armed troops of Jean-Pierre Bemba entered his house, located in [REDACTED]. According to the applicant, he and his family fled and Jean-Pierre Bemba's soldiers occupied his house for a period of five months and pillaged his belongings, including the doors and windows. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³³

Analysis and conclusions

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

¹³² ICC-01/05-01/08-1381-Conf-Exp-Anx275; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 129 to 130.

¹³³ ICC-01/05-01/08-1381-Conf-Exp-Anx275, pages 9 to 11 and 18.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED]. According to the applicant, they forced him and his family to leave their house, which they occupied for a period of five months. The applicant alleges that during their absence, the rebels pillaged their belongings and destroyed the doors and windows. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims that he suffered psychological and material harm.¹³⁵

Analysis and conclusions

The Chamber considers that the 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

¹³⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx276; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 131 to 132.

¹³⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx276, pages 9 to 11 and 20.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 5 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba entered his house, located in [REDACTED]. According to the applicant, they forced him and his family to leave their house, which was occupied by the rebels for a period of five months. The applicant alleges that during their absence, the rebels pillaged their belongings, including the doors and windows. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

¹³⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx277; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 131 to 132.

¹³⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx277, pages 9 to 11 and 20.

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

The applicant states that on 4 November 2002, the armed men of Jean-Pierre Bemba entered her house, located in [REDACTED] [REDACTED]. According to the applicant, they forced her to leave and then, they occupied her house for a period of five months. The applicant alleges that during her absence, the rebels pillaged her belongings and destroyed the doors and windows. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 4 November 2002.

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

¹³⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx278; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 135 to 136.

¹³⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx278, pages 9 to 11 and 19.

¹⁴⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx279; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 137 to 138.

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba entered her house, located in [REDACTED] [REDACTED]. According to the applicant, they forced her and her family to leave, whereupon they fled to seek refuge at [REDACTED] which is located at 11 km from her village. She claims that the soldiers occupied her house for a period of five months and alleges that during her absence, the rebels pillaged her belongings, including her savings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the armed men of Jean-Pierre Bemba arrived at his house, located in [REDACTED]. According to the

¹⁴¹ ICC-01/05-01/08-1381-Conf-Exp-Anx279, pages 9 to 11 and 18.

¹⁴² ICC-01/05-01/08-1381-Conf-Exp-Anx280; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 139 to 140.

applicant, they were shooting in the air. He states that he fled with his little daughter, taking some belongings with him. He claims that during his absence his house was occupied by the rebels for a period of five months. He further states that they pillaged his belongings and destroyed the doors and windows. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴³

Analysis and conclusions

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

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

Applicant [REDACTED]

¹⁴³ ICC-01/05-01/08-1381-Conf-Exp-Anx280, pages 9 to 11 and 21.

¹⁴⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx289; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 143 to 144.

Claim to victim status

The applicant states that on 8 November 2002, when Mr Bemba's rebel troops invaded [REDACTED] [REDACTED] in [REDACTED] they started to pillage the area in a systematic manner. According to the applicant, the rebels went to his house and took his radio. They then asked him for money and when he told them he did not have any money, they tried to shoot at him. The applicant alleges that the bullet missed him, but hit his father instead, who died more than ten months later, in June 2003, due to a lack of adequate treatment. The applicant alleges that the Banyamulengués pillaged his house and took some belongings. The applicant lists part of his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in [REDACTED] on 8 November 2002.

Applicant [REDACTED]

Claim to victim status

¹⁴⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx289, pages 4 to 5.

¹⁴⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx290; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 145 to 146.

The applicant states that on 13 November 2002, when the Banyamulengués, who were speaking French and Lingala, invaded [REDACTED] they came to her house, asked for money and threatened her family. The applicant states that she fled with her family and that their belongings and livestock were pillaged during their absence. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 13 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, the rebel troops of Mr Bemba invaded his house which is located in [REDACTED] According to the applicant, the troops then pillaged his belongings, using his son as a carrier. The applicant alleges that his 14 year old daughter was raped in front of him and his wife by

¹⁴⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx290, pages 4 to 5, 8.

¹⁴⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx291; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 147 to 148.

three armed men. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴⁹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with his alleged daughter, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, three Banyamulengués followed her at her house, which is located in [REDACTED]. She states that one of them threatened her with his Kalashnikov, the second tore off her clothes and the third one threw her to the ground and raped her, followed by the other two. She further states that she was raped in front of her brothers, who were held hostages for some hours in their house. The applicant also states that Jean-Pierre Bemba was always coming with a helicopter to give instructions to his men on the

¹⁴⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx291, pages 4 to 5, 8 to 9.

¹⁵⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx292; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 149 to 150.

██████████ where meetings were organised. The applicant appends a medical document which certifies that she is infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁵¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in ██████████ on 3 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 3 and 4 November 2002, after Mr Bemba's Banyamulengués invaded and occupied ██████████ ten armed Banyamulengués broke into his house, destroyed it and pillaged his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵³

Analysis and conclusions

¹⁵¹ ICC-01/05-01/08-1381-Conf-Exp-Anx292, pages 4 to 5, 9 to 10.

¹⁵² ICC-01/05-01/08-1381-Conf-Exp-Anx293; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 151 to 152.

¹⁵³ ICC-01/05-01/08-1381-Conf-Exp-Anx293, pages 4 to 5, 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 [REDACTED] on 3 and 4 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant is a [REDACTED] and a [REDACTED] retired since 2006. He states that in the time period between 2002 and 2003, he was on a work placement abroad. He contends that in December 2002, during his absence, Jean-Pierre Bemba's troops destroyed his villa, located in the [REDACTED] area of Bangui and which was rented out at that time, and pillaged his belongings. The applicant further claims that his [REDACTED] office was destroyed, that all his [REDACTED] supplies were pillaged and that his car was damaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁵

Analysis and conclusions

The Chamber considers that the 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

¹⁵⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx294; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 153 to 154.

¹⁵⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx294, pages 4 to 5.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 10 November 2002, three Banyamulengués soldiers came to his neighbour's house in order to take a rooster. As his neighbour resisted, they returned to their base, but then came back, under the pretext that they found rebels in [REDACTED] [REDACTED]. As a consequence, pillaging occurred from this date until 15 November 2002. The applicant appends a document in which he lists and values the pillaged and lost items. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 10 and 15 November 2002.

¹⁵⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx295; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 155 to 156.

¹⁵⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx295, pages 9 to 10, 18 to 19.

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

The applicant states that on 11 November 2002, his house was pillaged by the Banyamulengués. The applicant appends a document in which he lists and values the items pillaged by the Banyamulengués. The document is dated 11 November 2002 and it indicates that his house was located in [REDACTED] [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] [REDACTED] area of [REDACTED] on 11 November 2002.

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

The applicant states, in the document appended to the application form, that on 16 May 2003, while she was travelling with her two sons on the Oubangui River from the [REDACTED] market back to Bangui, and when they arrived in the waters

¹⁵⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx296; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 157 to 158.

¹⁵⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx296, pages 9 to 10, 19 to 20.

¹⁶⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx297; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 159 to 160.

behind the [REDACTED] [REDACTED] in the [REDACTED] district, the boat they were traveling in was intercepted by a group of four MLC soldiers who were fleeing in the direction of the DRC and who made them stop on a sandbank. The applicant contends that they tied up her son with a rope and raped her one after the other in front of her son. She further contends that they pillaged the goods which were in the boat. In the application form, it is stated that the events took place on 16 March 2003. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶¹

Analysis and conclusions

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

The Chamber notes that the applicant provides two different dates for the alleged events, both of which fall outside the temporal scope of the present case. In the relevant section of the application form it is stated that the events occurred on 16 March 2003 while in the document appended to the application form, the applicant indicates that the alleged events occurred on 16 May 2003. The Chamber is of the view that such a discrepancy undermines the credibility of the applicant's claim and therefore the application for participation in the proceedings is rejected.

Applicant [REDACTED]²

Claim to victim status

¹⁶¹ ICC-01/05-01/08-1381-Conf-Exp-Anx297, pages 9 to 10, 20.

¹⁶² ICC-01/05-01/08-1381-Conf-Exp-Anx298; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 161 to 162.

The applicant states that on 30 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] and ordered her to lie down on the ground facing the floor. She claims that they were speaking Lingala, and because she could not understand what they were saying, they beat her. The applicant states that they raped her one after the other and that they covered her mouth in order to stop her from screaming. The applicant further states that all her belongings were pillaged. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 November 2002, Jean-Pierre Bemba's MLC troops broke into his house, located in [REDACTED] hold him at gunpoint and forced him to

¹⁶³ ICC-01/05-01/08-1381-Conf-Exp-Anx298, pages 9 to 10.

¹⁶⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx308; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 163 to 164.

give them the keys of his vehicle. He states that his family had left the house before the arrival of the MLC troops and that he also managed to escape. The applicant claims that the MLC troops occupied the house for more than one month and they pillaged all his belongings and vandalized the entire house. He further states that on 15 March 2003, the MLC troops returned to his house and looted the belongings he had bought to replace the pillaged ones. The applicant appends a document from the CAR Defence Ministry where the items pillaged during the first assault are listed. He further claims that he has been suffering from stomach problems since the events. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 30 November 2002 and on 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 17 January 2003, Mr Bemba's men arrived at the road to [REDACTED] and started shooting at people. It is stated that the applicant fled

¹⁶⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx308, pages 9 to 11, pages 18 to 19, 22 to 26.

¹⁶⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx309; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 165 to 166.

from [REDACTED] to [REDACTED]. It is further stated that he lost all his merchandise, which is listed in the application. 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 notes that the applicant fled from [REDACTED] to [REDACTED] and lost his merchandise, suggesting that he abandoned his merchandise when fleeing from [REDACTED]. In the absence of any indication that the merchandise was subsequently pillaged, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 28 February 2003, Mr Bemba's men arrived in the [REDACTED] village, in [REDACTED] and destroyed his house with a Bamboo roof. He states that he lost all his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁹

Analysis and conclusions

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

The Chamber notes that the applicant states that Mr Bemba's men destroyed his house with a bamboo roof and that he lost all his belongings. In this regard, the

¹⁶⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx309, pages 7 to 9.

¹⁶⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx310; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 167 to 168.

¹⁶⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx310, pages 7 to 9.

Chamber recalls that it has already ruled that in case of destruction of property by fire, when there is no indication that the property was looted before being destroyed, applications for participation will be rejected.¹⁷⁰ In the present case, the description of the house and the list of looted items suggest that the house was destroyed by fire and the items lost were items inside the house. In the absence of any indication that the house was looted before being burned, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 17 January 2003, Mr Bemba's men arrived at the road to Boali and they were shooting at people. He states that he fled from [REDACTED] to [REDACTED]. He further stated that he lost all his merchandise, which is listed in the application. 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 notes that the applicant fled from [REDACTED] to [REDACTED] and lost his merchandise, suggesting that he abandoned his merchandise when fleeing from [REDACTED]. In the absence of any indication that the merchandise was subsequently pillaged, the application for participation in the proceedings is rejected.

¹⁷⁰ ICC-01/05-01/08-1017, paragraph 56.

¹⁷¹ ICC-01/05-01/08-1381-Conf-Exp-Anx311; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 169 to 170.

¹⁷² ICC-01/05-01/08-1381-Conf-Exp-Anx311, pages 7 to 9.

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

The applicant alleges that on 20 November 2002, Mr Bemba's rebel troops invaded the [REDACTED] area in the [REDACTED] district of Bangui. According to the applicant, the rebels invaded her concession, firing in the air and shouting threats. She further states that they asked her for money and pillaged her belongings. The applicant maintains that she was also tortured. She further claims that they attempted to rape her but she was saved by the intervention of her mother who told the soldiers that she had AIDS. She also states that the neighbours took refuge at her concession and they were altogether taken hostage by the troops of Jean-Pierre Bemba. The applicant claims that the assailants took everything from her house, including her watch and her jewelry. The applicant further states that the troops of Jean-Pierre Bemba were chasing her and that she felt forced to seek refuge at the French embassy, where she stayed for one month and a half. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁴

Analysis and conclusions

The Chamber notes that the applicant provides a *passeport* [REDACTED] as proof of identity. While mindful that such document is not included in the list of documents accepted by the Chamber, the Chamber considers that this document has similar features as the documents which have been explicitly approved by

¹⁷³ ICC-01/05-01/08-1381-Conf-Exp-Anx314; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 175 to 176.

¹⁷⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx314, pages 9 to 11, 18 to 20.

the Chamber, notably a passport, and is therefore satisfied that this document sufficiently demonstrates the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 20 November 2002.

Applicant [REDACTED]

The applicant alleges that on 22 November 2002, the troops of Mr Bemba entered her house, located in the [REDACTED] area of [REDACTED]. She claims that five rebels raped her and beat her with the butts of their guns until she lost consciousness. She states that they cut her fingers and that, as a result of the violence of the assault, she still feels pain in her right leg. According to the applicant, they subsequently pillaged all her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁶

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

¹⁷⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx315; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 177 to 178.

¹⁷⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx315, pages 9 to 11.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in November 2002, men speaking the Zairian language entered her house, located in [REDACTED] Bangui. The applicant alleges that the men demanded her husband to open the door to the barn and looted all their livestock. According to the applicant, they then killed her husband because they thought he was trying to escape. The applicant further claims that the men brutalised her and that they threatened to rape her but they finally let her go. She further claims that they pillaged their belongings instead. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in light of the inconsistencies between the information provided in the application and the data appearing on the *acte de mariage*, the Chamber considers that the identity of her alleged husband, as well as their kinship, is not sufficiently established. As a consequence, only pillage will be considered for the purpose of the present assessment.

¹⁷⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx319; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 179 to 180.

¹⁷⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx319, pages 7 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 in [REDACTED] Bangui on an unspecified date in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in March 2003, when her partner was returning from [REDACTED] to Bangui, the vehicle he was travelling in was intercepted by Jean-Pierre Bemba's rebels in [REDACTED]. The applicant states that the men looted the belongings of all the passengers and when her partner tried to resist their demands, the rebels killed him. According to the applicant, her partner's body has never been found but witnesses confirmed his death. The applicant further claims that the rebels pillaged her house, located in the [REDACTED] area of Bangui and raped her. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸⁰

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant, the identity of her partner and the kinship between them.

The Chamber notes that the date of the alleged events provided by the applicant (March 2003) is broad and as such might fall outside the temporal scope of the

¹⁷⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx321; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 181 to 182.

¹⁸⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx321, p. 9 to 11.

present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 partner, the pillage of her belongings and her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] and in the [REDACTED] area of Bangui on an unspecified date between 1 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that during the night of 27 to 28 October 2002, while he was sleeping in his shop, located in [REDACTED] on the road to [REDACTED] the Banyamulengués, who were wearing uniforms and boots and who were speaking Lingala, broke into the shop. The applicant states that they pillaged his money and his van, which they used to transport the looted merchandise. He further claims that the next morning the Banyamulengués returned to his shop and continued looting the merchandise. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸²

¹⁸¹ ICC-01/05-01/08-1381-Conf-Exp-Anx377; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 183 to 184.

¹⁸² ICC-01/05-01/08-1381-Conf-Exp-Anx377, pages 4 to 5, 9 to 22.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 28 and 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 December 2002, on the road to [REDACTED] between [REDACTED] and [REDACTED] the Banyamulengués came to her house, pillaged her belongings and destroyed her house. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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-

¹⁸³ ICC-01/05-01/08-1381-Conf-Exp-Anx378; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 185 to 186.

¹⁸⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx378, pages 9 to 11.

Pierre Bemba on the road to [REDACTED] between in [REDACTED] and [REDACTED] on 15 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant gave her consent for the application to be introduced on her behalf by her brother. It is stated that between 28 October 2002 and 31 October 2002, the Banyamulengués invaded and occupied the village of [REDACTED] on the road to [REDACTED] where they committed pillage, rapes and murders. It is stated that the applicant fled to the bush and that her brother was taken hostage and forced to give all her commercial goods to the assailants. The person acting on behalf appends a document in which the loss is listed and valued. As a result of the alleged events, it is claimed that the applicant has suffered psychological and material harm.¹⁸⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her brother, who is acting on her behalf and it follows from the application that the applicant gave her consent to her application being introduced on her behalf by her brother.

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

¹⁸⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx379; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 187 to 188.

¹⁸⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx379, pages 9 to 11, 21.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 28 and 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that between 28 October 2002 and 31 October 2002, the Banyamulengués invaded the village of [REDACTED] on the way to [REDACTED]. According to the applicant, they started to pillage people's belongings and to commit other atrocities. The applicant claims that they pillaged his belongings and his livestock and he appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 28 and 31 October 2002.

Applicant [REDACTED]

¹⁸⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx380; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 189 to 190.

¹⁸⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx380, pages 9 to 11, 19.

¹⁸⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx381; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 191 to 192.

Claim to victim status

The applicant alleges that on 29 October 2002, when he was coming back from his work, he was intercepted by the Banyamulengués who forced him to take them to his house, located in [REDACTED] on the road to [REDACTED]. According to the applicant, they pillaged his belongings and burnt his house. The applicant maintains that he was also beaten by the Banyamulengués but he managed to escape and joined his family in the bush. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 29 October 2002.

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

The applicant alleges that on 29 October 2002, upon the arrival of Jean-Pierre Bemba's rebels in [REDACTED] many persons sought refuge in his compound. He further states that on 30 October 2002, a person knocked on his door and said in

¹⁹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx381, pages 9 to 11.

¹⁹¹ ICC-01/05-01/08-1381-Conf-Exp-Anx396; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 3 to 4.

Sango that they were making sure that there were no soldiers affiliated to General Bozizé. When the applicant's wife opened the door, she was standing face-to-face with three men in military clothes who pointed her with their guns and asked her in Sango where her husband was. She brought them to the applicant's room and the soldiers pointed their guns at him and then asked them to leave the house. When they got out of the house, they saw two other armed soldiers, next to a person in civilian clothes. One of the two soldiers asked the civilian to leave the compound. One of the two soldiers threatened them and asked them to say their last prayer before asking them to give them a sum of 500,000 CFA. Subsequently, one of the three soldiers who had previously entered the house ordered the applicant and his wife in Sango to go back into the house. The applicant and his wife went back into the house and the soldiers pillaged their belongings. They asked him to open the door of his bedroom and when the applicant said that he did not have the key, the soldier who was speaking to them in Sango got angry and threatened him with a knife. The applicant's wife tried to protect the applicant but she was beaten by the soldier and fell on the girls who were lying on the ground and who were also beaten. The applicant alleges that the soldier outside saved their lives because he took the knife away from the assailant. He further states that the soldiers then emptied his cupboards, and then five additional soldiers arrived, who carried all the pillaged items away. The applicant alleges that Jean-Pierre Bemba's rebels entered [REDACTED] on 29 October 2002 and three days later, on 1 November 2002, they came for the first time to [REDACTED] in the company of General Bombayake and some soldiers of the Presidential Guard.

As a result of the alleged events the applicant claims to have suffered physical psychological and material harm.¹⁹²

Analysis and conclusions

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

The Chamber notes that the application has already been decided upon by the Pre-Trial Chamber in its decision of 12 December 2008, which rejected the application on the basis that “the fact that the aforementioned men spoke in Sango language rules out the probability that they came from Democratic Republic of the Congo from where the MLC troops were allegedly coming”¹⁹³. The Chamber further notes the VPRS submission, according to which “the Chamber may [...] wish to revisit the decision of the Pre-Trial Chamber concerning [REDACTED] in order to align it with more recent decisions on victims’ participation.”¹⁹⁴ To substantiate its submission, the VPRS highlights that the applicant designates the armed men of Jean-Pierre Bemba as his direct perpetrators, mentioning that one of his perpetrators was speaking Sango (“*L’élément qui nous parle en Sango*”), which could imply that the other perpetrators were not speaking this language. In this regard, the VPRS recalls the Chambers decision of 23 December 2010, where the Chamber recognized that “in the absence of any indication that the crimes were exclusively committed by perpetrators who are not linked to the present case, the mere reference in the applications to other persons or warring groups will not, as such, automatically serve to exclude the applicant”.¹⁹⁵

¹⁹² ICC-01/05-01/08-1381-Conf-Exp-Anx396, pages 9 to 15.

¹⁹³ ICC-01/05-01/08-320-Conf-Anx, page 26.

¹⁹⁴ ICC-01/05-01/08-1383-Conf-Exp-Anx3, page 4.

¹⁹⁵ ICC-01/05-01/08-1091, paragraph 27.

However, the VPRS informs the Chamber that it has not been able to contact the applicant in order to ask for more information regarding his alleged perpetrators.¹⁹⁶ In this regard, the Chamber recalls its decision of 22 February 2010, where it held with regard to applications which have been rejected by the Pre-Trial Chamber, that “if new documents or information are received by the VPRS which may have a material impact on the decision permitting a victim to participate, the Chamber is to be advised immediately.”¹⁹⁷ Accordingly, in the absence of any such new document or information, the Chamber will not engage in a reconsideration of the claim and the application for participation is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002 her partner was intercepted by the MLC militia in the village of [REDACTED] located approximately [REDACTED] kilometres away from Bangui on the road to [REDACTED]. She claims that they accused him of being a rebel and after beating him, he was killed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁹

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identities of both the applicant and her partner. The Chamber further notes that the death certificate indicates that the applicant was the one who declared

¹⁹⁶ ICC-01/05-01/08-1383-Conf-Exp, para. 2, footnote 13; ICC-01/05-01/08-1383-Conf-Exp-Anx3, page 4.

¹⁹⁷ ICC-01/05-01/08-699, para. 21.

¹⁹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx398; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 9 to 10.

¹⁹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx398, pages 9 to 11, 21.

the death of her alleged partner and is thus satisfied that the kinship between them is sufficiently demonstrated.

The Chamber notes that it already issued a decision on the merits of the applicant's claim, whereby it rejected the application due to an inconsistency with regard to the date of the alleged event inasmuch as the applicant stated that her partner was killed on 23 November 2003, while the death certificate indicated that the death occurred on 30 December 2003.²⁰⁰ However, given that subsequently, the applicant provided an additional statement in which she alleges that the date on the death certificate is erroneous, and that her partner was actually killed in 2002, the Chamber is satisfied that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is 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 partner by the Banyamulengués of Jean-Pierre Bemba in the village of [REDACTED] on 23 November 2002.

²⁰⁰ ICC-01/05-01/08-1017-Conf-Exp-AnxA.