

ANNEX B

Group B: Damara/Sibut

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 March 2003, when Mr Bemba's rebels entered [REDACTED] they had to flee from the area and hide in the bush for 7 days. The applicant claims that, during their absence, the soldiers stayed in their house. According to the applicant, around 7 March 2003, the soldiers requested that the local population return to their homes, whereupon the applicant and her family returned to find that their house and belongings had been pillaged. The applicant claims that on 10 March 2003, two soldiers went to their home, broke the door and took her and her older sister to a location, approximately one kilometer away from their house, where they raped them. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and 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

¹ ICC-01/05-01/08-1381-Conf-Exp-Anx78; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 396 to 397.

² ICC-01/05-01/08-1381-Conf-Exp-Anx78, pages 4 to 5.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] from 1 to 10 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, upon the arrival of Jean-Pierre Bemba's Banyamulengués in the [REDACTED] area of [REDACTED] she heard gun shots approaching her locality and decided to flee to the fields. The applicant states that when they returned one week later, they found that their house had been entirely pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁴

Analysis and conclusions

The Chamber notes a discrepancy of 19 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 due to 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

³ ICC-01/05-01/08-1381-Conf-Exp-Anx154; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 400 to 401.

⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx154, pages 4 to 5.

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]⁵

Claim to victim status

The applicant states that on 14 February 2003, upon the arrival of Jean-Pierre Bemba's Banyamulengués in [REDACTED] he heard gunshots approaching the [REDACTED] area. As a consequence, the population fled to the fields where they stayed for one week. He states that upon their return, they found that the Banyamulengués had broken into their houses, located in the [REDACTED] area, and pillaged their belongings. 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 14 February 2003.

Applicant [REDACTED]⁷

⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx155; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 402 to 403.

⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx155, pages 4 to 5.

⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx156; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 404 to 405.

Claim to victim status

The applicant states that on 15 February 2003, upon the arrival of Jean-Pierre Bemba's Banyamulengués in the [REDACTED] area of [REDACTED] she fled from the area. She states that, during her absence, her personal belongings as well as a sum of money were pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁸

Analysis and conclusions

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

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

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

The applicant states that in February 2003, upon the arrival of Jean-Pierre Bemba's men in the [REDACTED] area of [REDACTED] he fled to the fields. He states that prior to their arrival, he was warned by people who were fleeing from the [REDACTED] area, located at the entrance of [REDACTED] that rapes, killings and kidnappings were being committed by Mr Bemba's men. The applicant further states that, during his

⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx156, pages 4 to 5.

⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx157; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 406 to 407.

absence, his house was broken into and his belongings were pillaged. 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 the [REDACTED] area of [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, upon the arrival of Jean-Pierre Bemba's Banyamulengués in [REDACTED] he fled from the area. He contends that, during his absence, his house, located in the [REDACTED] area, and all his belongings were pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²

Analysis and conclusions

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

¹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx157, pages 4 to 5.

¹¹ ICC-01/05-01/08-1381-Conf-Exp-Anx158; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 408 to 409.

¹² ICC-01/05-01/08-1381-Conf-Exp-Anx158, pages 4 to 5.

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

Applicant [REDACTED]¹³

Claim to victim status

The applicant states that on 14 February 2003, upon the arrival of Jean-Pierre Bemba's men in [REDACTED] the Banyamulengués pillaged all the houses, including his own house which is located in the [REDACTED] area. He states that Mr Bemba's men took all the pillaged items to the [REDACTED] axe, where the [REDACTED] [REDACTED] is located. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 14 February 2003.

¹³ ICC-01/05-01/08-1381-Conf-Exp-Anx159; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 410 to 411.

¹⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx159, pages 4 to 5.

Applicant [REDACTED]¹⁵

Claim to victim status

The applicant states that on 3 February 2003, Jean-Pierre Bemba's troops arrived in [REDACTED] and occupied the town. She states that they came to her house and pillaged all her belongings, including those left as inheritance by her father. She further contends that, after having been pillaged, her house was burnt down. 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 accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that when she was returning from the fields to her house, located in [REDACTED] together with her husband, they were intercepted by Jean-Pierre

¹⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx160; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 412 to 413.

¹⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx160, pages 4 to 5.

¹⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx161; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 414 to 415.

Bemba's troops. She states that she and her husband managed to flee to the fields, where they stayed for approximately 3 months. She further states that when the situation became calm again, they returned and noticed that all their belongings had been pillaged. The applicant contends that the events occurred on 15 March 2003 and she lists her loss. She further alleges that she has seen Mr Bemba when he was getting out of the helicopter in [REDACTED]. 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 during the three months preceding 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, when she was returning from the fields to her house, together with her mother, she heard gunshots coming from [REDACTED]. She further states that the Banyamulengués had already besieged the town of [REDACTED] and pillaged the population's belongings. According to the applicant,

¹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx161, pages 4 to 5.

¹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx162; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 416 to 417.

upon her return to her house, located in the [REDACTED] area of [REDACTED], she found that her belongings had been pillaged. The applicant lists part of her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the arrival of the armed Banyamulengués in [REDACTED] she fled to the bush, together with her husband. She contends that they stayed in the bush for three months and that, during their absence, their house was damaged and all their belongings were pillaged. She further states that, during their stay in the bush, both she and her husband got sick. Due to the absence of medication in the bush, they were still sick when they returned to their house and her husband died a few days after their return. As a

²⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx162, pages 4 to 5.

²¹ ICC-01/05-01/08-1381-Conf-Exp-Anx163; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 418 to 419.

result of the alleged events, the applicant claims to have suffered physical and 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 February 2003, when her daughter was hospitalised, Jean-Pierre Bemba's armed men arrived in [REDACTED] and the population started to flee. Under those circumstances, the applicant claims that she found herself compelled to take her daughter out of the hospital. She contends that when she arrived at her house, she found that all her belongings had been pillaged and she subsequently fled to the fields. She further states that her daughter died due to lack of medical care. The applicant lists part of her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁴

²² ICC-01/05-01/08-1381-Conf-Exp-Anx163, pages 4 to 5.

²³ ICC-01/05-01/08-1381-Conf-Exp-Anx164; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 420 to 421.

²⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx164, pages 4 to 5.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 17 February 2003, when Mr Bemba's men were heading towards the [REDACTED] area of [REDACTED] he had to flee to the bush, together with his daughter who was ill. He states that his daughter died while they were fleeing, due to the lack of medical care. The applicant states that during his absence, Mr Bemba's men broke the door of his house and pillaged all his belongings, which he lists. The applicant appends a declaration certifying that the death of his daughter occurred on 17 February 2003. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶

Analysis and conclusions

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

²⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx182; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 310 to 311.

²⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx182, pages 9 to 11, 20.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 25 November 2002, when the troops of Mr Bemba came back from [REDACTED] the local population got scared and fled from the area. According to the applicant, the rebels took advantage of this and started pillaging people's houses. The applicant maintains that they also pillaged his own house which is located in [REDACTED]. The applicant maintains that the rebels returned the next day and started shooting. The applicant claims that he was taken hostage and used to transport the pillaged items to the banks of the Oubangui River. The applicant lists and values his loss in the application form. As a result of the alleged events, the applicant claims to have suffered material and psychological 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-Anx194; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 312 to 313.

²⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx194, 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 25 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, Mr Bemba's men took control over the village of [REDACTED] where they established their base for a period of more than one month. He alleges that he had to flee to the bush and that the Banyamulengués destroyed his house and pillaged all his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰

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 February 2003.

²⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx210; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 314 to 315.

³⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx210, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the arrival of the Banyamulengués in the village of [REDACTED] he fled to the fields. He further states that the Banyamulengués occupied the village and established their base there for more than one month. He alleges that during his absence the Banyamulengués broke into his house and pillaged all his belongings, which he lists. 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

³¹ ICC-01/05-01/08-1381-Conf-Exp-Anx211; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 316 to 317.

³² ICC-01/05-01/08-1381-Conf-Exp-Anx211, pages 9 to 11.

³³ ICC-01/05-01/08-1381-Conf-Exp-Anx212; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 318 to 319.

The applicant states that on 27 February 2003, upon the arrival of the Banyamulengués in the village of [REDACTED] she fled to the bush. She alleges that the Banyamulengués occupied the village for more than one month. She contends that during her absence, the Banyamulengués broke into her house and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴

Analysis and conclusions

The Chamber considers that the documents provided 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the arrival of the Banyamulengués in the village of [REDACTED] he fled to the bush. He alleges that the Banyamulengués occupied the village for more than one month. He further states that during his absence, the Banyamulengués broke into his house and pillaged all his belongings, including his livestock. The applicant lists his loss. As

³⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx212, pages 9 to 11.

³⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx213; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 322 to 323.

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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 14 February 2003, the Banyamulengués arrived in [REDACTED] whereupon the applicant fled to the other side of the river, leaving all her belongings behind. It is further alleged that the assailants pillaged the applicant's restaurant as well as her belongings of her house, which is located in the [REDACTED] area of [REDACTED]. As a result of the alleged events, it is claimed that the applicant has suffered material harm.³⁸

Analysis and conclusions

³⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx213, pages 9 to 11.

³⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx259; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 330 to 331.

³⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx259, pages 9 to 11.

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

However, the Chamber notes that the applicant does not provide any information regarding the reasons why she claims to act on behalf of her sister and the applicant has not signed section J to indicate her consent. As a consequence, the Chamber is not able to determine whether the person who introduced the application has *locus standi* to act on behalf of her sister and therefore the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 March 2003, she was warned by the rebels that the Banyamulengués were advancing towards [REDACTED] on the road to [REDACTED] whereupon she fled to the bush, leaving her livestock and belongings behind. According to the applicant, the Banyamulengués pillaged all her belongings, as well as her livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁰

Analysis and conclusions

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

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

³⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx260; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 332 to 333.

⁴⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx260, pages 9 to 13.

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 7 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 27 and 28 October 2002, the Banyamulengués arrived in [REDACTED] located a few kilometres away from [REDACTED] on the [REDACTED] axe, and they were looking for her husband who owned a store, a pickup van and a motorcycle for rental purposes. She further states that her husband went into hiding and the Banyamulengués broke into his store, pillaged the merchandise, set the van on fire and took the motorcycle to an unknown destination. The applicant claims that when her husband came out of his hiding place, he abandoned her and her ten children. The applicant lists her 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 notes that the applicant states that the Banyamulengués pillaged her husband's boutique and motorcycle. In the absence of any indication that the applicant's personal belongings were pillaged, the application for participation in the proceedings is rejected.

⁴¹ ICC-01/05-01/08-1381-Conf-Exp-Anx269; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 334 to 335.

⁴² ICC-01/05-01/08-1381-Conf-Exp-Anx269, pages 9 to 13 and 23.

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

The applicant states that in early March 2003, after hearing rumours that the Banyamulengués were heading to [REDACTED] she fled to the bush together with her family. She alleges that she took some of her belongings with her. She claims that when the Banyamulengués arrived in [REDACTED] they started calling the population to return to their houses, whereupon the applicant and her family went back to their house. She further states that two days after returning to their house, five Banyamulengués came and asked her mother to give them money. When the applicant's mother replied that she did not have any money, three of them entered the house, where they found the applicant and her sister. They wanted to take them hostage, carrying them to an unknown destination in their lorry. However, their mother objected, screaming, whereupon the Banyamulengués left the applicant and her sister and pillaged their belongings, including a sum of money. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁴

Analysis and conclusions

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

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

⁴³ ICC-01/05-01/08-1381-Conf-Exp-Anx270; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 336 to 337.

⁴⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx270, pages 9 to 13 and 22.

accused, namely the pillage of her house, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in early March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, she was living in the bush, together with her family. When they heard about the arrival of the Banyamulengués and the pillage they committed in [REDACTED] [REDACTED] she decided to go and check the state of the house. The applicant claims that on her way, she was intercepted by three Banyamulengués who had in their possession her husband's moped. The applicant claims that they knocked her to the ground, beat her up and continued their journey. The applicant claims that she still suffers from stomach pain as a result of the beating. The applicant states that her belongings were also pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶

Analysis and conclusions

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

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

⁴⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx282; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 338 to 339.

⁴⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx282, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, their house, located in the [REDACTED] area of [REDACTED] was pillaged by Jean-Pierre Bemba's soldiers. The applicant alleges that all their belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, the [REDACTED] area of [REDACTED] was invaded by the Banyamulengués and she had to flee and hide in the bush. According to

⁴⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx283; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 340 to 341.

⁴⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx283, pages 9 to 11.

⁴⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx284; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 342 to 343.

the applicant, the Banyamulengués systematically pillaged people's houses in [REDACTED] during their absence. The applicant states that the Banyamulengués pillaged her house and her belongings. 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 considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, when they heard the first explosions coming from the [REDACTED] area of [REDACTED] the local population fled from the area. According to the applicant, they also fled to the bush, leaving all their belongings behind. The applicant states that during his absence, his house, located in the [REDACTED] quarter of [REDACTED] was pillaged by the soldiers of Jean-Pierre Bemba. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵²

⁵⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx284, pages 9 to 11.

⁵¹ ICC-01/05-01/08-1381-Conf-Exp-Anx285; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 344 to 345.

⁵² ICC-01/05-01/08-1381-Conf-Exp-Anx285, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 February 2003, when the Banyamulengués invaded [REDACTED], [REDACTED] he fled from his home and sought shelter at the local convent. According to the applicant, the Banyamulengués followed them up to the nunnery but then returned to [REDACTED] and killed people's livestock and pillaged their belongings. The applicant specifies that his personal belongings were also pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴

Analysis and conclusions

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

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

⁵³ ICC-01/05-01/08-1381-Conf-Exp-Anx286; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 346 to 347.

⁵⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx286, pages 9 to 11.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 February 2003.

Applicant [REDACTED]⁵⁵

Claim to victim status

The applicant states that on 15 February 2003, during his absence, the Banyamulengués broke the door of his house, located in [REDACTED] and pillaged the content of his kiosk. He claims that they also pillaged a sum of money. 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.

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

Claim to victim status

⁵⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx287; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 348 to 349.

⁵⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx287, pages 9 to 11.

⁵⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx288; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 350 to 351.

The applicant states that on 25 October 2002, the rebel troops of Mr Bemba intercepted his truck, in the vicinity of [REDACTED] and pillaged the truck and the goods inside. In a police report on the incident, which is appended to the application, it is alleged that the truck was subsequently found but it had been stripped of its parts and its cargo. The applicant further appends photos of the damaged truck. As a result of the alleged events, the applicant claims that he suffered material harm.⁵⁸

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (25 October 2002) falls outside the temporal scope of the present case. However, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁵⁹ the accused is charged with the crimes of murder, rape and pillage committed from on or about 26 October 2002 to 15 March 2003. Accordingly, a slight inconsistency with regard to the date should not serve to exclude the applicant. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on or about 25 October 2002.

⁵⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx288, pages 14 to 18.

⁵⁹ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

Applicant [REDACTED]⁶⁰

Claim to victim status

The applicant alleges that on 15 February 2003, upon the invasion by the Banyamulengués of the [REDACTED] area of [REDACTED] she fled and sought refuge in the bush. The applicant claims that, during her absence, the rebels broke the door of her house and pillaged her belongings, including her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶¹

Analysis and conclusions

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

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

Applicant [REDACTED]⁶²

Claim to victim status

The applicant alleges that on 15 February 2003, upon the invasion of the [REDACTED] area of [REDACTED] by the Banyamulengués, she fled and sought refuge in the bush. The applicant claims that, during her absence, the rebels broke down the door of

⁶⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx316; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 352 to 353.

⁶¹ ICC-01/05-01/08-1381-Conf-Exp-Anx316, pages 9 to 11.

⁶² ICC-01/05-01/08-1381-Conf-Exp-Anx317; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 354 to 355.

her house and pillaged her belongings, including a sum of money and agricultural products. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶³

Analysis and conclusions

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

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

Applicant [REDACTED]⁶⁴

Claim to victim status

The applicant alleges that on 15 February 2003, Mr Bemba's rebel troops invaded the [REDACTED] area of [REDACTED]. According to the applicant, upon receiving news about the arrival of the Banyamulengués and hearing the gun shots, they fled and sought refuge in the bush. The applicant maintains that, during their absence, the Sibut area as well as other areas were systematically pillaged and that she is one of the persons that suffered from this. The applicant states that due to the pillage, she lost the means to exercise her commercial activities. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁵

⁶³ ICC-01/05-01/08-1381-Conf-Exp-Anx317, pages 9 to 11.

⁶⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx318; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 356 to 357.

⁶⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx318, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, when he returned to his domicile, located in the [REDACTED] area of [REDACTED] he found that the area was under the control of the Banyamulengués. According to the applicant, as he was unable to escape, he decided to hide in the ceiling of his house from where he was able to hear conversations in Lingala. The applicant claims that the ceiling was weak and it caved under his weight and he fell to the ground. According to the applicant, he was severely beaten and his right hand was broken. He further claims that his arm was subsequently amputated because at the time, hospitals were closed and it was not possible to receive adequate treatment. He also claims that his belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁷

Analysis and conclusions

⁶⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx320; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 358 to 359.

⁶⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx320, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, while he was in the bush, his house, located in the [REDACTED] area of [REDACTED] was pillaged by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹

Analysis and conclusions

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

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

⁶⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx322; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 360 to 361.

⁶⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx322, pages 9 to 11.

Applicant [REDACTED]⁷⁰

Claim to victim status

The applicant alleges that between 14 and 15 February 2003, the Banyamulengués arrived in [REDACTED] and started killing, raping, torturing and pillaging. According to the applicant, on 18 February 2003, they came to the [REDACTED] area, at [REDACTED] kilometres from [REDACTED] where the applicant's pasture was located. The applicant states that they killed ten animals of his cattle to bring them to [REDACTED]. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 18 February 2003.

Applicant [REDACTED]

Claim to victim status

⁷⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx323; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 362 to 363.

⁷¹ ICC-01/05-01/08-1381-Conf-Exp-Anx323, pages 9 to 11.

⁷² ICC-01/05-01/08-1381-Conf-Exp-Anx324; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 364 to 365.

The applicant alleges that on 15 February 2003, Mr Bemba's rebel troops invaded the [REDACTED] area of [REDACTED]. According to the applicant, as the local population heard some heavy shooting from the entrance of the city of [REDACTED] they fled to the bush in order to take refuge. The applicant maintains that the rebels took advantage of the people's absence and pillaged all the houses, even those that were locked. The applicant states that he suffered harm and losses and is living in a state of misery. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷³

Analysis and conclusions

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

However, in the absence of any indication to the effect that the applicant personally suffered harm as a result of a crime confirmed against the accused, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 9 December 2002, in the [REDACTED] village, between [REDACTED] and [REDACTED] the Banyamulengués cut his brother's penis and killed him. The applicant appends the death certificate, certifying that the death occurred on 9 December 2002, as well as 3 official documents which indicate that the applicant's brother was a member of the Central African Army at the time of the events who died together with other army members during an ambush led by

⁷³ ICC-01/05-01/08-1381-Conf-ExpAnx 324, pages 9 to 11.

⁷⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx375; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 366 to 367.

the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological harm.⁷⁵

Analysis and conclusions

The Chamber notes a discrepancy of 12 days between the applicant's date of birth as appearing in the application form and on the identity card attached thereto. However, given that the remainder of the information provided in the identity card is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber notes that the applicant's brother was a member of the Central African Army, who was killed during an ambush and died next to the [REDACTED]. As a consequence, the applicant does not enjoy the protected status of a civilian in an armed conflict and the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués militia invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, he was obliged to flee from the area and hide in the bush. The applicant claims

⁷⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx375, 9 to 11, 20 to 25.

⁷⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx383; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 368 to 369.

that the militia pillaged his belongings which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁷

Analysis and conclusions

The Chamber notes a slight discrepancy between the name of the applicant as appearing on the application form and the one indicated in his birth certificate. The Chamber considers that this discrepancy might be the result of inadvertent error by the person who assisted the applicant 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, as he heard some gunshots, he sought refuge in the bush. The applicant claims that they pillaged and destroyed his house. The applicant lists his loss. As a result of

⁷⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx383, pages 4 to 5.

⁷⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx384; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 370 to 371.

the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant he had to flee and seek refuge in the bush. The applicant claims that the assailants took away his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸¹

Analysis and conclusions

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

⁷⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx384, pages 4 to 5.

⁸⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx385; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 372 to 373.

⁸¹ ICC-01/05-01/08-1381-Conf-Exp-Anx385, pages 4 to 5.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, he had to flee and seek refuge in the bush. The applicant claims that the assailants took away his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸³

Analysis and conclusions

The Chamber considers that the documents provided 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 27 February 2003.

⁸² ICC-01/05-01/08-1381-Conf-Exp-Anx386; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 374 to 375.

⁸³ ICC-01/05-01/08-1381-Conf-Exp-Anx386, pages 4 to 5.

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

The applicant alleges that on 15 February 2003, the Banyamulengués took control over the [REDACTED] village, located [REDACTED] kilometers away from [REDACTED]. According to the applicant, as he was unable to escape, he had to hide inside his house. The applicant alleges that they broke down the door of his house and found him. Upon the question whether he was Chadian, the applicant replied that he was a Central African Muslim. He further states that the assailants pillaged all his belongings which they loaded in two vehicles. The applicant states that, under threat, he got inside their vehicle and they took him to their base where he was kept for one day. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that in the description of the events, the applicant states that the Banyamulengués invaded his village on 15 February 2003 while in the following section it is stated that the events took place on 27 February 2003. However, in light of the intrinsic coherence of the application in all other respects and given that both dates fall under the temporal scope of the present case, the Chamber considers that this discrepancy might be the result of inadvertent error and, as such, should not serve to exclude the applicant.

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

⁸⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx387; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 376 to 377.

⁸⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx387, 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] village in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant he had to flee and seek refuge, twelve kilometers away, in the bush. The applicant claims that the assailants pillaged his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁷

Analysis and conclusions

The Chamber considers that the 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 February 2003.

⁸⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx388; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 378 to 379.

⁸⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx388, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant she had to flee and seek refuge, seven kilometers away, in the bush. The applicant claims that the assailants pillaged her belongings and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁹

Analysis and conclusions

The Chamber considers that the 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, he

⁸⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx389; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 380 to 381.

⁸⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx389, pages 4 to 5.

⁹⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx390; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 382 to 383.

and his family had to flee and seek refuge in the bush. The applicant claims that the assailants took away his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹¹

Analysis and conclusions

The Chamber considers that the 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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, he and his family had to flee and seek refuge, nine kilometers away, near the fields. The applicant claims that the assailants pillaged his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹³

⁹¹ ICC-01/05-01/08-1381-Conf-Exp-Anx390, pages 4 to 5.

⁹² ICC-01/05-01/08-1381-Conf-Exp-Anx391; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 384 to 385.

⁹³ ICC-01/05-01/08-1381-Conf-Exp-Anx391, pages 4 to 5.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant he and his family had to flee and seek refuge in the bush. The applicant claims that the assailants pillaged his belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹⁵

Analysis and conclusions

The Chamber notes a slight inconsistency in the applicant's date of birth as stated in the application form and the birth certificate. However, given that the remainder of the information provided in the application form is consistent with the information provided in the birth certificate, the Chamber is of the view that

⁹⁴ ICC-01/05-01/08-1381-Conf-Exp-Anx392; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 386 to 387.

⁹⁵ ICC-01/05-01/08-1381-Conf-Exp-Anx392, pages 4 to 5.

such inconsistency might be the result of inadvertent error 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, she had to flee and seek refuge, eight kilometers away, in the fields. The applicant claims that the assailants pillaged her belongings and she lists her loss. As a result of the alleged events, the applicant claims to have suffered 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

⁹⁶ ICC-01/05-01/08-1381-Conf-Exp-Anx393; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 388 to 389.

⁹⁷ ICC-01/05-01/08-1381-Conf-Exp-Anx393, pages 4 to 5.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant she had to flee with the children and seek refuge in the fields. The applicant claims that the assailants pillaged her belongings and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁹

Analysis and conclusions

The Chamber considers that the 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 village of [REDACTED] on 27 February 2003.

Applicant [REDACTED]

Claim to victim status

⁹⁸ ICC-01/05-01/08-1381-Conf-Exp-Anx394; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 390 to 391.

⁹⁹ ICC-01/05-01/08-1381-Conf-Exp-Anx394, pages 4 to 5.

¹⁰⁰ ICC-01/05-01/08-1381-Conf-Exp-Anx395; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 392 to 393.

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant she had to flee and seek refuge, seven kilometers away, in the fields. The applicant claims that the assailants pillaged her belongings and she lists her loss. As a result of the alleged events, the applicant claims to have suffered 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 she is 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers away from [REDACTED] where they established their base for more than one month. According to the applicant, he had to flee to the bush. The applicant claims that the assailants pillaged all his

¹⁰¹ ICC-01/05-01/08-1381-Conf-Exp-Anx395, pages 4 to 5.

¹⁰² ICC-01/05-01/08-1381-Conf-Exp-Anx400; ICC-01/05-01/08-1383-Conf-Exp-Anx3, pages 320 to 321.

belongings and he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰³

Analysis and conclusions

The Chamber notes that it already issued a decision on the application, whereby it rejected the application for the failure by the applicant to provide a valid identity document.¹⁰⁴ Given that the applicant subsequently submitted a valid identity document, containing information which is consistent with the information indicated in the application form, the Chamber is satisfied that the identity of the applicant is established.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 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 February 2003.

¹⁰³ ICC-01/05-01/08-1381-Conf-Exp-Anx400, pages 9 to 11.

¹⁰⁴ ICC-01/05-01/08-1017-Conf-Exp-AnxB, pages 107 to 108.