

ANNEX B

Group B: Damara/Sibut

o Eleventh transmission - ICC-01/05-01/08-1604-Conf-Exp-Anxs

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, Mr Bozizé's troops entered [REDACTED] and looted his office. He further states that in December 2002, the Banyamulengués invaded [REDACTED] firing with heavy weapons, which forced the applicant to flee to the bush together with his family. On 15 December 2002, he found that his house has been pillaged and his motorcycle taken. The applicant contends that the *chef de quartier* reported the looting of the house to him. The applicant appends a *rapport circonstancié* to the *directeur régional*, where he relates the events and lists and values his loss. According to this document, the pillaging of his house occurred on 8 and 9 December 2002. 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 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

¹ ICC-01/05-01/08-1604-Conf-Exp-Anx1; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 76 to 77.

² ICC-01/05-01/08-1604-Conf-Exp-Anx1, pages 9 to 10, 20 to 26 and 45 to 46.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 and 9 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] situated [REDACTED] kilometers from [REDACTED] and established their base there for more than one month. The applicant claims that he fled to the bush and, upon his return, he found that his belongings and livestock had been pillaged during his absence. The applicant lists 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] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

³ ICC-01/05-01/08-1604-Conf-Exp-Anx16; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 80 to 81.

⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx16, pages 4 to 5.

⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx17; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 82 to 83.

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] situated [REDACTED] kilometers from [REDACTED]. The applicant claims that when they heard heavy weaponry, he fled to the bush, together with his family. Upon his return, he saw that all his belongings had been pillaged during their absence. 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in 2002 or 2003, the militia known as the Banyamulengués took control over [REDACTED] where they established their base for more than three months. The applicant claims that he was forced to flee to the bush and, during his absence, his belongings were pillaged. The applicant lists

⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx17, pages 4 to 5 and 8.

⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx18; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 84 to 85.

his loss. 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 notes that the date provided by the applicant (2002 or 2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] by the Banyamulengués for more than three months - which has been corroborated by other applicants - the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant. On the basis of the application as a whole, the Chamber is satisfied that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he 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 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that when Jean-Pierre Bemba's men, known as the Banyamulengués, took control of [REDACTED] [REDACTED] she fled to the bush. The

⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx18, pages 4 to 5.

⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx19; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 86 to 87.

applicant states that the Banyamulengués occupied the town for more than three months and upon her return, she noticed that her belongings had been pillaged during her absence. The applicant lists the 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 notes that the applicant failed to provide a precise date for the alleged events. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] by the Banyamulengués for more than three months which has been corroborated by other applicants, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant. On the basis of the application as a whole, the Chamber is satisfied that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

¹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx19, pages 4 to 5.

¹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx20; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 88 to 89.

The applicant states that on 12 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] situated [REDACTED] kilometers from [REDACTED] where, they established their base for five days. The applicant claims that she fled to the bush and that her belongings were pillaged during her absence. The applicant lists her 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.

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 12 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] situated [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he fled with his family to the bush. The applicant states that their belongings and livestock were pillaged during their absence. The applicant

¹² ICC-01/05-01/08-1604-Conf-Exp-Anx20, pages 4 to 5.

¹³ ICC-01/05-01/08-1604-Conf-Exp-Anx21; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 90 to 91.

lists his loss. 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 [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] in [REDACTED] and established their base for one month. The applicant claims that she fled with her family to the bush. She alleges that their belongings were pillaged during their absence and she lists 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.

¹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx21, pages 4 to 5 and 8.

¹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx22; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 92 to 93.

¹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx22, pages 4 to 5.

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] 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, the militia known as the Banyamulengués took control of the village of [REDACTED] situated [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he took his family and they fled to the bush. The applicant states that their belongings were pillaged during their absence. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸

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

¹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx23; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 94 to 95.

¹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx23, 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 [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, Mr Bemba's men took control of [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. According to the applicant, upon their return to their house located in [REDACTED] they found that some of their belongings had been pillaged and others burned. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰

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 in February 2003.

¹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx24; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 96 to 97.

²⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx24, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 February 2003, Mr Bemba's men took control of [REDACTED]. According to the applicant, they established two bases, one at the entry of the town at the tollbooth and the other at the [REDACTED] and stayed for one month. The applicant claims that he and his family fled to the bush. The applicant claims that upon their return, they found that their belongings and livestock had been pillaged. The applicant lists his 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 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 February 2003.

Applicant [REDACTED]

Claim to victim status

²¹ ICC-01/05-01/08-1604-Conf-Exp-Anx25; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 98 to 99.

²² ICC-01/05-01/08-1604-Conf-Exp-Anx25, pages 4 to 5.

²³ ICC-01/05-01/08-1604-Conf-Exp-Anx26; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 100 to 101.

The applicant states that on 27 February 2003, Mr Bemba's militia took control of the town of [REDACTED] where they set up their base for more than one month. The applicant claims that he and his family fled to the bush. The applicant claims that upon their return, they found that their belongings had been pillaged. The applicant lists his 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 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. According to the applicant, he and his family fled to the bush. The applicant claims that upon their return, they found that their money, livestock and belongings had been pillaged.

²⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx26, pages 4 to 5.

²⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx27; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 102 to 103.

The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶

Analysis and conclusions

The Chamber considers that the 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] and established their base in the area of [REDACTED] for three weeks. The applicant claims that he and his family fled to the bush where they stayed for two months. Upon their return, they found that their belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸

Analysis and conclusions

²⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx27, pages 4 to 5.

²⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx28; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 104 to 105.

²⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx28, 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for three weeks. The applicant claims that he and his family fled to the bush. The applicant claims that their belongings and livestock were pillaged during their absence. He lists 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-01/05-01/08-1604-Conf-Exp-Anx29; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 106 to 107.

³⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx29, pages 4 to 5.

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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he fled to the bush together with his family and that their belongings were pillaged during their absence. The applicant also alleges that the Banyamulengués raped his 13-year-old daughter. 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. 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 an unspecified date as of 27 February 2003.

³¹ ICC-01/05-01/08-1604-Conf-Exp-Anx30; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 108 to 109.

³² ICC-01/05-01/08-1604-Conf-Exp-Anx30, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she fled to the bush and that her belongings were pillaged during her absence. 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 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 22 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February, Mr Bemba's militia took control of [REDACTED] and established their base in the village of [REDACTED] for one month, whereupon the applicant fled to the bush, together with his family. The applicant claims that

³³ ICC-01/05-01/08-1604-Conf-Exp-Anx31; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 110 to 111.

³⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx31, pages 4 to 5.

³⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx32; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 112 to 113.

upon their return, they found that their house and belongings had been pillaged. The applicant appends a document in which he lists and values the items pillaged or destroyed by the Banyamulengués during their occupation of [REDACTED]. 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 notes that the applicant merely states that the events occurred in February without indicating the precise day and year of the alleged events. However, in light of the intrinsic coherence of the application in all other respects and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that a failure to provide the precise year of the alleged events should not serve to exclude the applicant.

The Chamber therefore 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 in February 2003.

Applicant [REDACTED]

Claim to victim status

³⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx32, pages 4 to 5 and 8.

³⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx33; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 114 to 115.

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he and his family fled to the bush and that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba 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, the militia known as the Banyamulengués took control of the town of [REDACTED] and established their base in the village of [REDACTED] where they stayed for a month and a week. The applicant claims that he and his family fled to the bush and that their belongings

³⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx33, pages 4 to 5.

³⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx34; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 116 to 117.

were pillaged during their absence. The applicant lists his loss. 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 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 applicant states that on 17 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] which is located [REDACTED] kilometers away from [REDACTED] where they set up their base for two weeks. The applicant claims that he fled with his family to the fields. According to the applicant, one day, he had to leave the bush to get some food and he was intercepted by the Banyamulengués who physically assaulted him and hit him with the butts of their weapons. The applicant claims that they took him to his house and asked for money and when he said he had no money, they knocked him down, tied him up and started to search his bedroom. The applicant claims that they found some money which they pillaged along with other belongings

⁴⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx34, pages 4 to 5.

⁴¹ ICC-01/05-01/08-1604-Conf-Exp-Anx35; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 118 to 119.

and livestock. The applicant appends a document in which he lists the loss. As a result of the alleged events, the applicant claims to have suffered physical 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 [REDACTED] on an unspecified date as of 17 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] and established their base there for two weeks. The applicant claims that he and his family fled to the fields. According to the applicant, upon their return home, they found that their house, belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁴

Analysis and conclusions

⁴² ICC-01/05-01/08-1604-Conf-Exp-Anx35, pages 4 to 5 and 9 to 10.

⁴³ ICC-01/05-01/08-1604-Conf-Exp-Anx36; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 120 to 121.

⁴⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx36, pages 4 to 5.

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

The Chamber therefore 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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 17 February 2003, when Mr Bemba's rebels occupied the village of [REDACTED] he fled from the area. The applicant claims that the troops followed him into the bush, apprehended him, tied him up, started torturing him and brought him back to his home alleging that he was keeping weapons for the rebels. The applicant maintains that he underwent a surgery following the alleged torture and appends a medical report to this effect. The applicant claims that they also pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁶

Analysis and conclusions

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

⁴⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx37; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 122 to 123.

⁴⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx37, pages 4 to 5 and 9 to 10.

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 17 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of [REDACTED] where they established their base for three days. The applicant claims that he fled to the bush and that his belongings were pillaged during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁸

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

⁴⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx38; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 124 to 125.

⁴⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx38, pages 4 to 5.

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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he and his family fled to the bush and that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 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

⁴⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx39; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 126 to 127.

⁵⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx39, pages 4 to 5.

⁵¹ ICC-01/05-01/08-1604-Conf-Exp-Anx40; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 128 to 129.

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he and his family fled to the bush and that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he and his family fled to the bush and that their belongings

⁵² ICC-01/05-01/08-1604-Conf-Exp-Anx40, pages 4 to 5.

⁵³ ICC-01/05-01/08-1604-Conf-Exp-Anx41; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 130 to 131.

were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba 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, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he and his family fled to the bush and that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁶

Analysis and conclusions

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

⁵⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx41, pages 4 to 5.

⁵⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx42; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 132 to 133.

⁵⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx42, 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she fled to the bush and that she was followed by the Banyamulengués. She alleges that the Banyamulengués pillaged some items from her house and further took a sum of money and merchandise. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁸

Analysis and conclusions

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

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

⁵⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx43; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 134 to 135.

⁵⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx43, pages 4 to 5.

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

The applicant states that in 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant states that he and his family fled to the bush and that the Banyamulengués pillaged his belongings and livestock during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁰

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 (2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] by the Banyamulengués for more than three months which has been corroborated by other applicants, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant. The Chamber therefore 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

⁵⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx44; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 136 to 137.

⁶⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx44, pages 4 to 5.

the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, Mr Bemba's militia took control of the village of [REDACTED] for 6 days. According to the applicant, he fled to the bush and his belongings and livestock were pillaged during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶²

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 February 2003.

⁶¹ ICC-01/05-01/08-1604-Conf-Exp-Anx45; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 138 to 139.

⁶² ICC-01/05-01/08-1604-Conf-Exp-Anx45, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for two weeks. The applicant claims that she fled to the bush six kilometers away from the village and, upon her return, she found that her belongings and livestock had been pillaged during her absence. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her 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 in 2002, the “militiamen” invaded the village of [REDACTED]. According to the applicant, he fled with his family to the bush where they stayed

⁶³ ICC-01/05-01/08-1604-Conf-Exp-Anx46; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 140 to 141.

⁶⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx46, pages 4 to 5.

⁶⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx47; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 142 to 143.

for two weeks. The applicant states that the “militiamen” established their base in [REDACTED] and [REDACTED] for one month and a half. The applicant further states that on a Sunday, he was intercepted by the “militiamen” who seized him and took away a new pair of shoes he was wearing. The applicant claims that they also beat him and pillaged his belongings. He designates Mr Bemba and Mr Patassé as responsible for the alleged events. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁶

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (2002) is broad and, as such, might fall outside the temporal scope of the present case. The Chamber further notes that the applicant refers to the occupation by the “militiamen”. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] and [REDACTED] by militiamen for more than one month and a half as well as the contention that Mr Patassé and Mr Bemba are responsible for the alleged events, the Chamber is of the view that the failure to provide a precise date and to precisely designate the perpetrators should not serve to exclude the applicant. Accordingly, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre

⁶⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx47, pages 4 to 5.

Bemba in [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant a/0234/11⁶⁷

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she and her family fled to the bush. The applicant claims that the militiamen followed her to the bush, courted her, threw her to the ground and brutalized her. According to the applicant, they found a sum of money she was carrying and which belonged to her husband. The applicant states that their belongings and livestock were pillaged during their absence. She appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁸

Analysis and conclusions

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

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

⁶⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx48; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 144 to 145.

⁶⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx48, pages 4 to 5 and 9.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués invaded the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he fled to the bush and upon his return he found that his belongings had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the town of [REDACTED] where they established their

⁶⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx49; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 146 to 147.

⁷⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx49, pages 4 to 5.

⁷¹ ICC-01/05-01/08-1604-Conf-Exp-Anx50; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 148 to 149.

base for more than one month. The applicant states that they occupied his area for two days. The applicant states that he fled with his family to the bush and that the Banyamulengués pillaged their belongings and livestock during their absence. The applicant lists 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he fled to the bush with his family and that their belongings and livestock were pillaged during their absence. The applicant lists his loss. As a

⁷² ICC-01/05-01/08-1604-Conf-Exp-Anx50, pages 4 to 5.

⁷³ ICC-01/05-01/08-1604-Conf-Exp-Anx51; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 150 to 151.

result of the alleged events, the applicant claims to have suffered material harm.⁷⁴

Analysis and conclusions

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

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

Applicant

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base in the village for more than one month. The applicant claims that he fled to the bush but the Banyamulengués followed him to pillage the goods and money he had with him. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁶

Analysis and conclusions

⁷⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx51, pages 4 to 5.

⁷⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx52; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 152 to 153.

⁷⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx52, 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. According to him, their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁸

Analysis and conclusions

The Chamber notes that the applicant provides an *attestation provisoire de la carte nationale d'identité* 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 identity cards and *récépissés de*

⁷⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx53; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 154 to 155.

⁷⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx53, pages 4 to 5.

dépôt de demande de carte nationale d'identité, 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 [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. According to him, their belongings were pillaged during their absence. The applicant lists 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.

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

⁷⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx54; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 156 to 157.

⁸⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx54, pages 4 to 5.

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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. He claims that his belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 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]

⁸¹ ICC-01/05-01/08-1604-Conf-Exp-Anx55; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 158 to 159.

⁸² ICC-01/05-01/08-1604-Conf-Exp-Anx55, pages 4 to 5.

⁸³ ICC-01/05-01/08-1604-Conf-Exp-Anx56; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 160 to 161.

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. He claims that his belongings were pillaged during their absence. The applicant lists his loss. 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that she and her family fled to the bush. She claims that her belongings

⁸⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx56, pages 4 to 5.

⁸⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx57; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 162 to 163.

were pillaged during her absence. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁶

Analysis and conclusions

The Chamber considers that the 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 in February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she fled to the bush together with her family and that their belongings were pillaged during their absence. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁸

Analysis and conclusions

⁸⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx57, pages 4 to 5.

⁸⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx58; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 164 to 165.

⁸⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx58, 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 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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February, the militia known as the Banyamulengués occupied the village of [REDACTED]. The applicant states that he was in [REDACTED] at this time and, upon his return, he found that his belongings had been pillaged. The applicant lists 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 notes that the applicant merely states that the events occurred in February without indicating the precise day and year of the alleged events. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] by the Banyamulengués which has been corroborated by other applicants, given that a number of

⁸⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx59; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 166 to 167.

⁹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx59, pages 4 to 5.

applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that a failure to provide the precise date of the alleged events 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 an unspecified date in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. The applicant claims that he took his family and they fled to the bush. According to the applicant, he was taken by the Banyamulengués to their base, where they made him lie on the ground, pointed their weapons at him, hit them and threatened to kill him but, their chief intervened and stopped them. The applicant states that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹²

Analysis and conclusions

⁹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx60; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 168 to 169.

⁹² ICC-01/05-01/08-1604-Conf-Exp-Anx60, pages 4 to 5 and 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] and established their base for more than one month. According to the applicant, at the time, she had just left the hospital following childbirth but was obliged to take her family and flee to the bush. The applicant maintains that her belongings and livestock were pillaged during their absence. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁴

Analysis and conclusions

The Chamber considers that the documents provided 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

⁹³ ICC-01/05-01/08-1604-Conf-Exp-Anx61; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 170 to 171.

⁹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx61, pages 4 to 5.

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, the militia known as the Banyamulengués took control of the village of [REDACTED], located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she fled to the bush, together with her family. She contends that during their absence, the Banyamulengués pillaged her belongings which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁶

Analysis and conclusions

The Chamber considers that the 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.

⁹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx62; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 172 to 173.

⁹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx62, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. According to the applicant, at the time, she was in the hospital with her sick husband but she had to leave him to collect their children and flee to the bush. The applicant claims that her husband died at the hospital and she does not know where his body was taken. The applicant maintains that their belongings were pillaged during their absence. She appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁸

Analysis and conclusions

The Chamber considers that the 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]

⁹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx63; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 174 to 175.

⁹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx63, pages 4 to 5 and 9.

⁹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx64; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 176 to 177.

Claim to victim status

The applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he took his family and they fled to the bush. He further claims that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁰

Analysis and conclusions

The Chamber considers that the 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that he took his family and they fled to the bush. He further

¹⁰⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx64, pages 4 to 5.

¹⁰¹ ICC-01/05-01/08-1604-Conf-Exp-Anx65; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 178 to 179.

claims that their belongings were pillaged during their absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰²

Analysis and conclusions

The Chamber considers that the 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 applicant states that on 27 February 2003, the militia known as the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] where they established their base for more than one month. The applicant claims that she and her family fled to the bush. She further claims that their belongings were pillaged during their absence. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁴

Analysis and conclusions

¹⁰² ICC-01/05-01/08-1604-Conf-Exp-Anx65, pages 4 to 5.

¹⁰³ ICC-01/05-01/08-1604-Conf-Exp-Anx66; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 180 to 181.

¹⁰⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx66, 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 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, after the Banyamulengués took control of the village of [REDACTED] located [REDACTED] km from [REDACTED] on the road to [REDACTED], he fled to the bush, together with his family. He further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village for more than one month and destroyed his house and pillaged his belongings during his absence. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁶

Analysis and conclusions

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

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

¹⁰⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx67; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 182 to 183.

¹⁰⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx67, pages 4 to 5.

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 applicant states that between 25 January and the first week of February 2003, when the militiamen of Mr Jean Pierre took control of [REDACTED] he fled to the bush, together with his family. Two days after, he states that the militiamen established their base near [REDACTED] market, located [REDACTED] km from [REDACTED] on the road to [REDACTED] for five days, where they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 25 January and the first week of February 2003.

¹⁰⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx68; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 184 to 185.

¹⁰⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx68, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Mr Jean Pierre took control of the village of [REDACTED] located [REDACTED] km from [REDACTED] on the road to [REDACTED] she fled to the fields, together with her family, due to fear of heavy shootings. She further contends that the militiamen established their base in the area of [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she 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 occupation of the village of [REDACTED] by the Banyamulengués, he fled to the fields, together with his family.

¹⁰⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx69; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 186 to 187.

¹¹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx69, pages 4 to 5.

¹¹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx70; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 188 to 189.

He further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village for more than one month and pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹²

Analysis and conclusions

The Chamber considers that the 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 applicant states that in 2003, upon the arrival of Mr Jean-Pierre Bemba's men to the village of [REDACTED] in [REDACTED] he fled to the bush. He contends that Mr. Bemba's militiamen established their base in [REDACTED] for more than one month and that they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁴

Analysis and conclusions

¹¹² ICC-01/05-01/08-1604-Conf-Exp-Anx70, pages 4 to 5.

¹¹³ ICC-01/05-01/08-1604-Conf-Exp-Anx71; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 190 to 191.

¹¹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx71, pages 4 to 5.

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

The Chamber notes that the date provided by the applicant (2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application and notably the fact that the applicant refers to the occupation of [REDACTED] by the Banyamulengués which has been corroborated by other applicants, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant.

The Chamber therefore 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 between 1 January and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the militiamen of Mr Jean-Pierre Bemba took control of [REDACTED] firing their guns, he fled to the field, together with his family. He further contends that they pillaged his belongings. According to the applicant, the militiamen occupied Sibut during three days. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁶

¹¹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx72; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 192 to 193.

¹¹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx72, 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 an unspecified date between 27 February and 2 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 26 and 27 February 2003, upon the arrival of the Banyamulengués in [REDACTED] he fled to the bush, together with his family. According to the applicant, the Banyamulengués occupied [REDACTED] during three days and left on the fourth day. He further contends that the Banyamulengués pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁸

Analysis and conclusions

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

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

¹¹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx73; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 194 to 195.

¹¹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx73, 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 [REDACTED] on an unspecified date between 26 February and 2 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] by the Banyamulengués, he was forced to flee to the bush, together with his family. He further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village for more than one month and pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁰

Analysis and conclusions

The Chamber considers that the 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.

¹¹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx74; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 196 to 197.

¹²⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx74, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] by the Banyamulengués, he fled to the bush, together with his family. He further states that the Banyamulengués established their base in the village for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²²

Analysis and conclusions

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

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 applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] by the Banyamulengués, he fled to the bush, together with his family. He further states that the militiamen of Mr Jean-Pierre Bemba established their

¹²¹ ICC-01/05-01/08-1604-Conf-Exp-Anx75; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 198 to 199.

¹²² ICC-01/05-01/08-1604-Conf-Exp-Anx75, pages 4 to 5.

¹²³ ICC-01/05-01/08-1604-Conf-Exp-Anx76; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 200 to 201.

base in the village for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁴

Analysis and conclusions

The Chamber considers that the 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

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] by the Banyamulengués who were firing their guns, she fled to the bush, together with her family. She further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁶

Analysis and conclusions

¹²⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx76, pages 4 to 5.

¹²⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx77; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 202 to 203.

¹²⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx77, 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 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

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] by the Banyamulengués who were firing their guns, she fled to the fields, together with her family. She further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁸

Analysis and conclusions

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

The Chamber 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

¹²⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx78; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 204 to 205.

¹²⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx78, pages 4 to 5.

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 occupation of [REDACTED] by the Banyamulengués who were firing their guns, she fled to the bush, together with her family. She further states that the Banyamulengués established their base in the village of [REDACTED] for more than one month and pillaged her belongings and merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁰

Analysis and conclusions

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

The Chamber 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

¹²⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx79; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 206 to 207.

¹³⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx79, pages 4 to 5.

¹³¹ ICC-01/05-01/08-1604-Conf-Exp-Anx80; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 208 to 209.

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] by the Banyamulengués, who were firing their guns, she fled to the bush, together with her family. She further states that the Banyamulengués established their base in the village of [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³²

Analysis and conclusions

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

The Chamber considers that, 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 occupation of the village of [REDACTED] by the Banyamulengués who were firing their guns, he fled to the bush, together with his family. He further states that when he was fleeing to the bush, he was followed by the Banyamulengués who brought him back to his house in order to pillage his belongings in his presence. According to the applicant, the

¹³² ICC-01/05-01/08-1604-Conf-Exp-Anx80, pages 4 to 5.

¹³³ ICC-01/05-01/08-1604-Conf-Exp-Anx81; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 210 to 211.

Banyamulengués established their base in the village of [REDACTED] for more than one month. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 states that on 22 February 2003, upon the occupation of [REDACTED] by the militiamen of Mr Jean-Pierre Bemba, he fled to the bush, together with his family. He further states that Mr Bemba's men established their base in the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] for more than one month. He further alleges that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁶

Analysis and conclusions

¹³⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx81, pages 4 to 5.

¹³⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx82; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 212 to 213.

¹³⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx82, pages 4 to 5 and 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 an unspecified date as of 22 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of [REDACTED] by the Banyamulengués, he fled to the bush, together with his family. He further states that the Banyamulengués established their base in the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] for more than one month. He states that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁸

Analysis and conclusions

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

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

¹³⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx83; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 214 to 215.

¹³⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx83, pages 4 to 5.

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 applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] by the Banyamulengués, who were firing their guns, he fled to the bush, together with his family. He further states that the Banyamulengués established their base in the village for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

¹³⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx84; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 216 to 217.

¹⁴⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx84, pages 4 to 5.

¹⁴¹ ICC-01/05-01/08-1604-Conf-Exp-Anx85; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 218 to 219.

The applicant states that in February, upon the occupation by the “militiamen” of the village of [REDACTED], [REDACTED] she fled to the bush. She further states that the Militiamen established their base in the village of [REDACTED] for five days and pillaged her belongings and livestock. The applicant lists her loss. She declares that the persons responsible for these events are the “soldiers of Mr Jean-Pierre Bemba”. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴²

Analysis and conclusions

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

The Chamber notes that the applicant merely states that the events occurred in February without indicating the precise day and year of the alleged events. However, in light of the intrinsic coherence of the application in all other respects and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that a failure to provide the precise date of the alleged events should not serve to exclude the applicant.

The Chamber therefore 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]

¹⁴² ICC-01/05-01/08-1604-Conf-Exp-Anx85, pages 4 to 5.

¹⁴³ ICC-01/05-01/08-1604-Conf-Exp-Anx86; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 220 to 221.

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of the village of [REDACTED] by the Banyamulengués who were firing their guns, he fled to the bush, together with his family. He further states that the Banyamulengués established their base in the village of [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 12 February, upon the occupation of [REDACTED] by the Banyamulengués who were firing their guns, she fled to the bush, together with her children. She contends that the militiamen of Mr Jean-Pierre Bemba established their base in her village for more than one month and pillaged her

¹⁴⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx86, pages 4 to 5.

¹⁴⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx87; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 222 to 223.

belongings and livestock. The applicant further states that she was pregnant at the time of the events and while fleeing to the bush from the Banyamulengués, she fell to the ground and three days later she suffered a miscarriage. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁶

Analysis and conclusions

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

The Chamber notes that the applicant merely states that the events occurred on 12 February without indicating the precise year of the alleged events. However, in light of the intrinsic coherence of the application in all other respects and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that a failure to provide the precise year of the alleged events 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 as of February 2003.

Applicant [REDACTED]

Claim to victim status

¹⁴⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx87, pages 4 to 5.

¹⁴⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx88; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 224 to 225.

The applicant states that on 27 February 2003, upon the occupation of [REDACTED] by the Banyamulengués who were firing their guns, she fled to the bush, together with her family. She further states that the militiamen of Mr Jean-Pierre Bemba established their base in the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED], for more than one month. She states that they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 occupation of [REDACTED] by the Banyamulengués who were firing their guns, she fled to the bush, together with her family. She further states that the Banyamulengués established their base in the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] for more than one month. She states that they pillaged her belongings

¹⁴⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx88, pages 4 to 5.

¹⁴⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx89; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 226 to 227.

and merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 between 18 and 20 February 2003, when the village of [REDACTED] was occupied by the Banyamulengués, she was hiding in her house, together with her children. She states that when the Banyamulengués broke into her house, they took her son and kicked him while asking him for money. The applicant contends that when she tried to protect her son, the Banyamulengués also hit her and pillaged her belongings. The applicant appends a document in which she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵²

Analysis and conclusions

¹⁵⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx89, pages 4 to 5 and 9.

¹⁵¹ ICC-01/05-01/08-1604-Conf-Exp-Anx90; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 228 to 229.

¹⁵² ICC-01/05-01/08-1604-Conf-Exp-Anx90, pages 4 to 5 and 8.

The Chamber notes that the date of birth as appearing on the application form does not correspond to the date of birth of the applicant but to the date of birth of her father as appearing in the applicant's birth certificate annexed to the application form. Given that the remainder of the information provided in the form is consistent with the information appearing on the birth certificate, the Chamber believes that this could be the result of inadvertent error by the person assisting the applicant in filling in the form and therefore considers that the identity of the applicant is sufficiently established.

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 18 and 20 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués who were firing their guns, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month. He claims that they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁴

¹⁵³ ICC-01/05-01/08-1604-Conf-Exp-Anx91; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 230 to 231.

¹⁵⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx91, 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 6 February 2003, while the village of [REDACTED] located [REDACTED] kilometres from [REDACTED] on the road to [REDACTED] was occupied by the militiamen of Mr Jean-Pierre Bemba, he fled to the fields. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁶

Analysis and conclusions

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

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

¹⁵⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx92; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 232 to 233.

¹⁵⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx92, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 6 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on an unspecified date in February 2003, while the village of [REDACTED] was occupied by the militiamen of Mr Jean-Pierre Bemba, who were shooting with their weapons, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than two months and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁸

Analysis and conclusions

The Chamber notes a discrepancy of 27 days between the date of birth as appearing in the application form and on the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that 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

¹⁵⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx93; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 234 to 235.

¹⁵⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx93, pages 4 to 5.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the bush. He further states that the assailants established their base in the village for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁰

Analysis and conclusions

The Chamber notes that the applicant provides a *casier judiciaire* as proof of identity. While mindful that such document is not included in the list of documents accepted by the Chamber, the Chamber notes that this document indicates the applicant's name and birth date as well as the names of his parents. Given that the document further provides that the applicant's identity was verified with his birth certificate, the Chamber is satisfied that the identity of the applicant is sufficiently demonstrated.

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

¹⁵⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx94; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 236 to 237.

¹⁶⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx94, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled from his house to the bush because he was afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶²

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.

Applicant [REDACTED]

¹⁶¹ ICC-01/05-01/08-1604-Conf-Exp-Anx95; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 238 to 239.

¹⁶² ICC-01/05-01/08-1604-Conf-Exp-Anx95, pages 4 to 5 and page 9.

¹⁶³ ICC-01/05-01/08-1604-Conf-Exp-Anx96; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 240 to 241.

Claim to victim status

The applicant alleges that on 2 February 2003, during the occupation by Mr Jean-Pierre Bemba's militiamen of [REDACTED] located near the tollbooth at the entrance of [REDACTED], on the road to Bangui, he fled to the fields, together with his family. He further states that the assailants established their base in [REDACTED] for more than one month and they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 17 February 2003, while the village of [REDACTED] located [REDACTED] kilometres from [REDACTED] on the road to Bangui, was occupied by the Banyamulengués, he fled to the fields, together with his family. He further states that the assailants established their base in [REDACTED] for two weeks and pillaged his

¹⁶⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx96, pages 4 to 5.

¹⁶⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx97; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 242 to 243.

belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁶

Analysis and conclusions

The Chamber notes a discrepancy with regard of the place of birth as appearing in the application form and in the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that 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 17 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family, because he was afraid of the gunshots. He further states that the assailants established their base in the village for more than one month and pillaged his

¹⁶⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx97, pages 4 to 5.

¹⁶⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx98; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 244 to 245.

belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁸

Analysis and conclusions

The Chamber notes that the 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 applicant alleges that on 27 February 2003, while the village of [REDACTED] located on the road to [REDACTED] was occupied by the Banyamulengués he fled to the fields. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁰

Analysis and conclusions

The Chamber notes that in the application form, the applicant has provided two different dates of birth, one corresponding to the date the applicant was born and

¹⁶⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx98, pages 4 to 5.

¹⁶⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx99; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 246 to 247.

¹⁷⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx99, pages 4 to 5.

the other one corresponding to the date his birth was declared. The Chamber considers that this might be due to inadvertent error by the person assisting 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, she fled to the bush because she heard some gunshots. She further states that the assailants established their base in the village for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷²

Analysis and conclusions

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

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

¹⁷¹ ICC-01/05-01/08-1604-Conf-Exp-Anx100; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 248 to 249.

¹⁷² ICC-01/05-01/08-1604-Conf-Exp-Anx100, pages 4 to 5.

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 alleges that on 17 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family because he was afraid of the gunshots. He further states that the assailants stayed in [REDACTED] for two weeks, before leaving to [REDACTED] and [REDACTED] and they pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁴

Analysis and conclusions

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

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 17 February 2003.

Applicant [REDACTED]

¹⁷³ ICC-01/05-01/08-1604-Conf-Exp-Anx101; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 250 to 251.

¹⁷⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx101, pages 4 to 5.

¹⁷⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx102; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 252 to 253.

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by Mr Jean-Pierre Bemba's militiamen, he fled to the bush, together with his family. He further states that the assailants established their base in the village for three days and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 applicant alleges that on 17 February 2003, while the village of [REDACTED] was occupied by Mr Jean-Pierre Bemba's militiamen, who were shooting with their weapons, she fled to the bush. She further states that the assailants stayed in [REDACTED] for two weeks and pillaged her belongings. The applicant lists her loss. As a

¹⁷⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx102, pages 4 to 5.

¹⁷⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx103; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 254 to 255.

result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 17 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the bush. She further states that the assailants established their base in the village for more than one month and they pillaged her belongings and livestock. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁰

Analysis and conclusions

The Chamber notes that there is a discrepancy in the application form between the date of birth of the applicant and his alleged age. However the Chamber is of

¹⁷⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx103, pages 4 to 5.

¹⁷⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx104; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 256 to 257.

¹⁸⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx104, pages 4 to 5.

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 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 alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the bush. He further states that the assailants established their base in the village for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸²

Analysis and conclusions

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

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

¹⁸¹ ICC-01/05-01/08-1604-Conf-Exp-Anx105; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 258 to 259.

¹⁸² ICC-01/05-01/08-1604-Conf-Exp-Anx105, pages 4 to 5.

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 applicant alleges that on 27 February 2003, while the village of [REDACTED] located [REDACTED] kilometres from [REDACTED] on the road to [REDACTED] was occupied by the Banyamulengués, he fled to the bush because he was afraid of the gunshots. He further states that the assailants established their base in the village for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁴

Analysis and conclusions

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

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]

¹⁸³ ICC-01/05-01/08-1604-Conf-Exp-Anx106; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 260 to 261.

¹⁸⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx106, pages 4 to 5.

¹⁸⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx107; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 262 to 263.

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the bush because he was afraid of the gunshots. He further states that the assailants established their base in the village for more than one month and pillaged his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields, together with his family. He further states that the assailants established their base in the village for more than one month and pillaged his belongings and livestock. The

¹⁸⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx107, pages 4 to 5.

¹⁸⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx108; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 264 to 265.

applicant lists 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 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 is of the view that this might be the result of inadvertent error and should not serve to exclude the applicant. The Chamber also notes that the applicant's surname as appearing on the birth certificate is illegible. However, given that his surname as appearing in the application form corresponds to the one of his father, 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, who were shooting with their weapons, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and

¹⁸⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx108, pages 4 to 5

¹⁸⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx109; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 266 to 267.

pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁰

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 on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields. He further states that the assailants established their base in the village for more than one month and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹²

Analysis and conclusions

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

¹⁹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx109, pages 4 to 5.

¹⁹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx110; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 268 to 269.

¹⁹² ICC-01/05-01/08-1604-Conf-Exp-Anx110, 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that between the end of February and the beginning of March 2003, while [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields, together with his family. He further states that the assailants established their base in a village in [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁴

Analysis and conclusions

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

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

¹⁹³ ICC-01/05-01/08-1604-Conf-Exp-Anx111; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 270 to 271.

¹⁹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx111, pages 4 to 5.

Pierre Bemba in [REDACTED] on an unspecified date between the end of February and the beginning of March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields, together with her family. She further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged her belongings, livestock and money. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁶

Analysis and conclusions

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

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

¹⁹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx112; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 272 to 273.

¹⁹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx112, pages 4 to 5.

¹⁹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx113; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 274 to 275.

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by some militiamen, she was forced to flee to the fields. She further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged her belongings and livestock. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁸

Analysis and conclusions

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

The Chamber notes that the applicant does not identify any precise group as being responsible for the alleged events. However, considering the intrinsic coherence of the application in all other respects and noting that the occupation of [REDACTED] by the Banyamulengués for a period of one month as of 27 February 2003 is corroborated by a number of applicants, the Chamber is of the view that the failure to identify any precise group should not serve to exclude the applicant. Accordingly, 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

¹⁹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx113, pages 4 to 5.

¹⁹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx114; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 276 to 277.

The applicant alleges that on 27 February 2003, while the [REDACTED] area was occupied by the Banyamulengués, he was forced to leave all his merchandise and to flee to the fields, together with his family. He further states that the assailants established their base in the area of [REDACTED] for more than one month and pillaged his belongings and merchandise. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁰

Analysis and conclusions

The Chamber considers that the 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 as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the [REDACTED] area of [REDACTED] was occupied by some militiamen, he was forced to abandon his kiosk at the market and to flee to the fields, together with his family. He further states that the assailants established their base in the [REDACTED] area for more than one month and

²⁰⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx114, pages 4 to 5 and 9.

²⁰¹ ICC-01/05-01/08-1604-Conf-Exp-Anx115; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 278 to 279.

pillaged his belongings and merchandise. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰²

Analysis and conclusions

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

The Chamber notes that the applicant does not identify any precise group as being responsible for the alleged events. However, considering the intrinsic coherence of the application in all other respects and noting that the occupation of [REDACTED] by the Banyamulengués for a period of one month as of 27 February 2003 was corroborated by a number of applicants, the Chamber is of the view that the failure to identify any precise group should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields. He further states that the assailants established their base in the village of [REDACTED] for more than one month

²⁰² ICC-01/05-01/08-1604-Conf-Exp-Anx115, pages 4 to 5.

²⁰³ ICC-01/05-01/08-1604-Conf-Exp-Anx116; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 280 to 281.

and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁴

Analysis and conclusions

The Chamber considers that the documents provided 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 applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields. She further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged her belongings and livestock. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁶

Analysis and conclusions

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

²⁰⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx116, pages 4 to 5.

²⁰⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx117; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 282 to 283.

²⁰⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx117, pages 4 to 5 and 9.

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 alleges that on 23 February 2003, while [REDACTED] was occupied by the Banyamulengués who were firing their guns, he was forced to flee to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁸

Analysis and conclusions

The Chamber considers that the documents provided 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 February 2003.

²⁰⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx118; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 284 to 285.

²⁰⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx118, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués who were shooting with their weapons, she fled to the fields. She further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged her belongings and livestock. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁰

Analysis and conclusions

The Chamber considers that the documents provided 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 claims that in February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's men, he fled to the bush. He states that the assailants established their base in the village for three days and pillaged his belongings. The applicant

²⁰⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx120; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 286 to 287.

²¹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx120, pages 4 to 5.

²¹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx121; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 288 to 289.

lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, upon the invasion of [REDACTED] by Jean-Pierre Bemba's men, she fled to the fields because she was afraid of the gunshots. She further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁴

Analysis and conclusions

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

²¹² ICC-01/05-01/08-1604-Conf-Exp-Anx121, pages 4 to 5.

²¹³ ICC-01/05-01/08-1604-Conf-Exp-Anx122; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 290 to 291.

²¹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx122, pages 4 to 5.

The Chamber notes that the applicant refers to the invasion of [REDACTED] while he later states that the alleged events occurred in [REDACTED]. However, in light of the intrinsic coherence of the application in all other respects and given that both villages are located in [REDACTED] the Chamber is of the view that this inconsistency might be the result of inadvertent error by the person assisting the applicant in filling in the form and should not serve to exclude the applicant. Accordingly, 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, while the village of [REDACTED] was occupied by Jean-Pierre Bemba's men, he fled to the fields, together with his family because he was afraid by the gunshots. He further states that the assailants established their base in the village for more than two weeks and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁶

Analysis and conclusions

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

²¹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx123; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 292 to 293.

²¹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx123, 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that when [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields. She further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. According to the applicant, the alleged events occurred in February but she does not remember the precise date. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁸

Analysis and conclusions

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

The Chamber notes that the applicant merely states that the events occurred in February without indicating the precise day and year of the alleged events. However, in light of the intrinsic coherence of the application in all other respects and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that a failure to

²¹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx124; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 294 to 295.

²¹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx124, pages 4 to 5.

provide the precise year of the alleged events should not serve to exclude the applicant.

Accordingly, 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 alleges that in 2002, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁰

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 present case. The Chamber further notes that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003. However, in light of the intrinsic coherence

²¹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx125; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 296 to 297.

²²⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx125, pages 4 to 5.

of the application in all other aspects and given that the alleged events occurred over eight years ago, such discrepancy 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 an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he was not in town and his family fled to the fields because they were afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] located [REDACTED] kilometres from [REDACTED] on the road to [REDACTED] for more than four days and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²²

Analysis and conclusions

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

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

²²¹ ICC-01/05-01/08-1604-Conf-Exp-Anx126; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 298 to 299.

²²² ICC-01/05-01/08-1604-Conf-Exp-Anx126, pages 4 to 5 and 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 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings, his livestock and his money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁴

Analysis and conclusions

The Chamber notes a discrepancy of three years between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the day and the month as well as the remainder of the information provided in the birth certificate are 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

²²³ ICC-01/05-01/08-1604-Conf-Exp-Anx127; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 300 to 301.

²²⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx127, pages 4 to 5 and 8.

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 applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the bush, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in the village for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁶

Analysis and conclusions

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

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

²²⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx128; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 302 to 303.

²²⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx128, pages 4 to 5.

²²⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx129; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 304 to 305.

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁸

Analysis and conclusions

The Chamber considers that the documents provided 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 applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, she fled to the fields, together with her family, because they heard some gunshots. She further states that the assailants established their base in the [REDACTED] area for more than three days and pillaged her belongings. The

²²⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx129, pages 4 to 5.

²²⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx130; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 306 to 307.

applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁰

Analysis and conclusions

The Chamber considers that the documents provided 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 alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the bush, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³²

Analysis and conclusions

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

²³⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx130, pages 4 to 5.

²³¹ ICC-01/05-01/08-1604-Conf-Exp-Anx131; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 308 to 309.

²³² ICC-01/05-01/08-1604-Conf-Exp-Anx131, 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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁴

Analysis and conclusions

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

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

²³³ ICC-01/05-01/08-1604-Conf-Exp-Anx132; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 310 to 311.

²³⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx132, pages 4 to 5 and 10.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] was occupied by the Banyamulengués. As a result of the Banyamulengués' gunfire, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and burned his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁶

Analysis and conclusions

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

The Chamber notes that the applicant states that the Banyamulengués burned his house with his belongings and livestock. 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 participation will be rejected.²³⁷ 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 pillaged before being burned, the application for participation in the proceedings is rejected.

²³⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx133; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 312 to 313.

²³⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx133, pages 4 to 5.

²³⁷ ICC-01/05-01/08-1017, paragraph 56.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 22 February 2003, while the village of [REDACTED] was occupied by the Banyamulengués who were firing their guns, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁹

Analysis and conclusions

The Chamber considers that the 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 22 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués who were shooting with their weapons, he was forced to flee to the fields. He further states that the assailants established their base in the village

²³⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx134; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 314 to 315.

²³⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx134, pages 4 to 5.

²⁴⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx135; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 316 to 317.

of [REDACTED] for more than one month and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴¹

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.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 13 February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militiamen, he fled to the fields, together with his family, because they were afraid. He further claims that he came back to his house one day later but he was intercepted by four men who held him hostage for some time before he managed to escape. The applicant states that the assailants established their base in [REDACTED] for more than one week and pillaged his

²⁴¹ ICC-01/05-01/08-1604-Conf-Exp-Anx135, pages 4 to 5.

²⁴² ICC-01/05-01/08-1604-Conf-Exp-Anx136; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 318 to 319.

belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴³

Analysis and conclusions

The Chamber considers that the 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 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 12 February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militiamen, he fled to the fields, together with his family because they were afraid. He further states that the assailants established their base in [REDACTED] for eleven days and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁵

Analysis and conclusions

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

²⁴³ ICC-01/05-01/08-1604-Conf-Exp-Anx136, pages 4 to 5.

²⁴⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx137; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 320 to 321.

²⁴⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx137, 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 an unspecified date between 12 and 23 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 14 February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militia men, he was forced to flee to the fields. He further states that the assailants established their base in [REDACTED] for one week and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁷

Analysis and conclusions

The Chamber considers that the 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 14 February 2003.

²⁴⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx138; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 322 to 323.

²⁴⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx138, pages 4 to 5.

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

The applicant alleges that between 14 and 15 February 2003, while [REDACTED] was occupied by some militiamen, she was forced to flee to the fields, together with her family because they were afraid. She further states that the assailants established their base in [REDACTED] for more than one week and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁹

Analysis and conclusions

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

The Chamber notes that the applicant does not identify any precise group as being responsible for the alleged events. However, considering the intrinsic coherence of the application in all other respects and noting that the occupation of [REDACTED] by the Banyamulengués in February 2003 is corroborated by a number of applicants, the Chamber is of the view that the failure to identify any precise group 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 as of 14 February 2003.

²⁴⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx139; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 324 to 325.

²⁴⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx139, pages 4 to 5.

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

The applicant alleges that on 15 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields, together with her family because they were afraid of the gunshots. She further states that the assailants established their base in [REDACTED] for almost 30 days and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵¹

Analysis and conclusions

The Chamber considers that the 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 15 February 2003.

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

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family, because they were afraid of the gunshots. He further states that the assailants established their

²⁵⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx140; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 326 to 327.

²⁵¹ ICC-01/05-01/08-1604-Conf-Exp-Anx140, pages 4 to 5 and 9.

²⁵² ICC-01/05-01/08-1604-Conf-Exp-Anx141; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 328 to 329.

base in the [REDACTED] area for more than one month and pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵³

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 an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family, because they were afraid of the gunshots. He further states that the assailants established their base in the [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] for more than one month and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁵

Analysis and conclusions

²⁵³ ICC-01/05-01/08-1604-Conf-Exp-Anx141, pages 4 to 5.

²⁵⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx142; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 330 to 331.

²⁵⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx142, pages 4 to 5 and 8.

The Chamber considers that the 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] area on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 14 February 2003, while [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in [REDACTED] for two days and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁷

Analysis and conclusions

The Chamber considers that the 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

²⁵⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx143; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 332 to 333.

²⁵⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx143, pages 4 to 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 14 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that between 12 and 14 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family, because they were afraid of the gunshots. He further states that the assailants established their base in the [REDACTED] area for 72 hours and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵⁹

Analysis and conclusions

The Chamber considers that the 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 12 and 14 February 2003.

Applicant [REDACTED]

Claim to victim status

²⁵⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx144; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 334 to 335.

²⁵⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx144, pages 4 to 5.

²⁶⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx145; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 336 to 337.

The applicant alleges that on 13 February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militiamen, he was forced to flee to the fields. He further states that the assailants established their base in the [REDACTED] area for one week, raped his sister and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶¹

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 and kinship with his alleged sister, 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 an unspecified date as of 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields, together with her family, because they were afraid of the gunshots. She further states that the assailants established their base in the [REDACTED] for more than one month and pillaged her

²⁶¹ ICC-01/05-01/08-1604-Conf-Exp-Anx145, pages 4 to 5.

²⁶² ICC-01/05-01/08-1604-Conf-Exp-Anx146; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 338 to 339.

belongings and money. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶³

Analysis and conclusions

The Chamber considers that the 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 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 15 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the bush, together with her family, because they were afraid of the gunshots. She further states that the assailants established their base in [REDACTED] during one week and they pillaged her belongings. The applicant lists her loss. She further states that the events took place in the [REDACTED] area. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁵

Analysis and conclusions

²⁶³ ICC-01/05-01/08-1604-Conf-Exp-Anx146, pages 4 to 5 and 9.

²⁶⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx147; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 340 to 341.

²⁶⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx147, pages 4 to 5.

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

The Chamber notes that the applicant refers to the occupation of [REDACTED] while he later states that the alleged events occurred in [REDACTED]. However, in light of the intrinsic coherence of the application in all other respects and given that both villages are located in [REDACTED] the Chamber is of the view that this inconsistency might be the result of inadvertent error by the person assisting the applicant in filling in the form and 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 as of 15 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 13 February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militiamen, he was forced to flee to the bush. He further states that the assailants established their base in [REDACTED] during one week and pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁷

Analysis and conclusions

²⁶⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx148; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 342 to 343.

²⁶⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx148, 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 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, he fled to the fields, together with his family because they were afraid of the gunshots. He further states that the Banyamulengués established their base in [REDACTED] for two weeks and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁹

Analysis and conclusions

The Chamber considers that the 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.

²⁶⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx149; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 344 to 345.

²⁶⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx149, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family. He further states that the assailants established their base in the village of [REDACTED] for more than one month. He claims that they pillaged his belongings and livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷¹

Analysis and conclusions

The Chamber considers that the 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 applicant alleges that on 13 February 2003, while [REDACTED] was being invaded by some militiamen, he stayed at home. He further states that the assailants

²⁷⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx150; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 346 to 347.

²⁷¹ ICC-01/05-01/08-1604-Conf-Exp-Anx150, pages 4 to 5.

²⁷² ICC-01/05-01/08-1604-Conf-Exp-Anx151; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 348 to 349.

established their base in [REDACTED] for more than one month. He claims that they pillaged his belongings and money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷³

Analysis and conclusions

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

The Chamber notes that the applicant does not identify any precise group as being responsible for the alleged events. However, considering the intrinsic coherence of the application in all other respects and noting that the occupation of [REDACTED] by the Banyamulengués in February 2003 was corroborated by a number of applicants, the Chamber is of the view that the failure to identify any precise group should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 17 February 2003, the Banyamulengués took control of the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to Bangui, where they established their base for one month. The applicant claims

²⁷³ ICC-01/05-01/08-1604-Conf-Exp-Anx151, pages 4 to 5.

²⁷⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx152; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 350 to 351.

that at the time of the events, he was in Bangui and his wife, who had given birth two weeks earlier, was at home alone with their children. According to the applicant, the Banyamulengués found his wife and scared her with their weapons. The applicant claims that they sexually assaulted her and pillaged their belongings. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his wife and their kinship, 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 17 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on February 2003, while [REDACTED] was occupied by the Banyamulengués, he was forced to flee to the fields because he heard some gunshots. He further states that the assailants established their base in [REDACTED] for two weeks. He claims that they pillaged his belongings and money. The

²⁷⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx152, pages 4 to 5 and 9.

²⁷⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx153; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 352 to 353.

applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁷

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 an unspecified date in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 13 February 2003, while [REDACTED] was occupied by the Banyamulengués, she was forced to flee to the fields, together with her family because they were afraid of the gunshots. She further states that the assailants established their base in [REDACTED] for more than one month. She claims that they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁹

Analysis and conclusions

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

²⁷⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx153, pages 4 to 5.

²⁷⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx154; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 354 to 355.

²⁷⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx154, pages 4 to 5.

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 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in February 2003, while [REDACTED] was occupied by Jean-Pierre Bemba's militiamen, he was forced to flee to the fields, together with his family because they heard some gunshots. He further states that the assailants established their base in [REDACTED] during seven days. He claims that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸¹

Analysis and conclusions

The Chamber considers that the 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 February 2003.

²⁸⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx155; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 356 to 357.

²⁸¹ ICC-01/05-01/08-1604-Conf-Exp-Anx155, pages 4 to 5 and 10.

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

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields because he was afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] located [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] for more than one month. The applicant claims that, when he fled, he was forced to leave his grandfather at their house because he was too old and ill to flee. He claims that the assailants tortured his grandfather and pillaged his belongings as well as some belongings of the family. He further claims that his grandfather died seven months later as a consequence of having been tortured by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and his grandfather as well as their kinship.

However, the Chamber notes a discrepancy between the date of death of the applicant's grandfather as appearing on the application form and on the death certificate attached thereto. While it is indicated in the application form that he died seven months after having been tortured, the death certificate indicates that he died seven days before the alleged events. In light of this inconsistency, the Chamber is of the view that the causal link between the alleged events and the applicant's grandfather's death is not established and therefore, only pillage of

²⁸² ICC-01/05-01/08-1604-Conf-Exp-Anx156; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 358 to 359.

²⁸³ ICC-01/05-01/08-1604-Conf-Exp-Anx156, pages 4 to 5.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, while [REDACTED] was occupied by the Banyamulengués, he fled to the fields, together with his family because they were afraid of the gunshots. He further states that the assailants established their base in the village of [REDACTED] for more than one month. He claims that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸⁵

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

²⁸⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx157; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 360 to 361.

²⁸⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx157, pages 4 to 5.

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 applicant alleges that between 13 and 14 February, upon the invasion by the Banyamulengués of [REDACTED] located at [REDACTED] kilometers from [REDACTED] on the road to [REDACTED] he fled to the fields, together with his family because they were afraid of the gunshots. He further states that the assailants, after arriving in the village, withdrew to the village of [REDACTED] where they established their base for one week. He claims that they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸⁷

Analysis and conclusions

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

The Chamber notes that the applicant states that the events occurred on 13 and 14 February, without indicating the year of the alleged events. However, in light of the intrinsic coherence of the application in all other respects and given that one applicant in a previous transmission referred to the occupation of [REDACTED] in February 2003,²⁸⁸ the Chamber is of the view that a failure to provide the precise date of the alleged events should not serve to exclude the applicant.

²⁸⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx158; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 362 to 363.

²⁸⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx158, pages 4 to 5.

²⁸⁸ See application a/3171/10 in ICC-01/05-01/08-1590-Conf-Exp-AnxB, page 31.

The Chamber therefore 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 13 or 14 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 23 December 2002, while returning from [REDACTED] to Bangui, he was intercepted by the Banyamulengués at [REDACTED] between [REDACTED] and Bangui. He claims that the passengers were asked to get out of the vehicle and that the assailants pillaged all his merchandise, his belongings and his money. According to the applicant, the passengers who did not possess anything were tortured and some were killed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁹⁰

Analysis and conclusions

The Chamber considers that the 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 December 2002.

²⁸⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx178; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 364 to 365.

²⁹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx178, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in February 2003, the Banyamulengués pillaged her house located in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹²

Analysis and conclusions

The Chamber notes a discrepancy of twenty years between the date of birth indicated in the application form on the one hand and the identity document on the other. In the absence of any explanation for such discrepancy, the Chamber is of the view that the applicant's identity is not sufficiently established and the application for participation in the proceedings is rejected.

This conclusion can be revisited if the applicant provides a clarification regarding her date of birth.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in February 2003, the soldiers of Jean-Pierre Bemba arrived in [REDACTED] and pillaged all her belongings in the [REDACTED] area. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹⁴

²⁹¹ ICC-01/05-01/08-1604-Conf-Exp-Anx215; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 366 to 367.

²⁹² ICC-01/05-01/08-1604-Conf-Exp-Anx215, pages 4 to 5.

²⁹³ ICC-01/05-01/08-1604-Conf-Exp-Anx216; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 368 to 369.

²⁹⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx216, 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 the [REDACTED] area of [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in March 2003, Jean-Pierre Bemba's men pillaged his house located in the [REDACTED] area of [REDACTED]. He specifies that at that time, all houses in the area were pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹⁶

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (March 2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, in particular the reference to the pillage of all houses in the area, and given that the alleged events occurred over eight years ago, the Chamber is of the view that

²⁹⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx217; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 370 to 371.

²⁹⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx217, pages 4 to 5.

a failure to remember the precise date of the events 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 the [REDACTED] area of [REDACTED] on an unspecified date between 1 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in March 2003, Jean-Pierre Bemba's troops pillaged her house located in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹⁸

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 (March 2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, in particular the reference to the pillage of all houses in the area, and given that the alleged events occurred over eight years ago, the Chamber is of the view that a failure to remember the precise date of the events should not serve to exclude the applicant. Under these circumstances, The Chamber considers that, overall,

²⁹⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx218; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 372 to 373.

²⁹⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx218, pages 4 to 5.

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 between 1 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that between February and early March 2003, upon the arrival of Jean-Pierre Bemba's men in [REDACTED] the population fled to the fields. She claims that during her absence, Jean-Pierre Bemba's men pillaged all her belongings.³⁰⁰

Analysis and conclusions

The Chamber considers that the 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 between February and early March 2003.

²⁹⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx219; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 374 to 375.

³⁰⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx219, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in February 2003, upon the arrival of the Banyamulengués in the [REDACTED] area of [REDACTED] she fled to the fields in order to escape from the violent acts which were being committed. She claims that when she returned to her house, she noticed that her house had been broken into and that her belongings had been pillaged. As a result of alleged events, the applicant claims to have suffered material harm.³⁰²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in February 2003, upon the arrival of Jean-Pierre Bemba's men in the [REDACTED] area of [REDACTED] she fled to the fields. She further claims that they pillaged her house located in the area of [REDACTED] while she had taken

³⁰¹ ICC-01/05-01/08-1604-Conf-Exp-Anx220; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 376 to 377.

³⁰² ICC-01/05-01/08-1604-Conf-Exp-Anx220, pages 4 to 5.

³⁰³ ICC-01/05-01/08-1604-Conf-Exp-Anx221; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 378 to 379.

refuge in the fields. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁴

Analysis and conclusions

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

The Chamber considers that, overall the applicant has provided sufficient evidence to establish *prima facie* that 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 in February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in March 2003, upon the arrival of Jean-Pierre Bemba's soldiers, he took refuge in the fields in order to escape the violence. He claims that during his absence, they pillaged his house as well as all the other houses in the area. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁰⁶

Analysis and conclusions

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

³⁰⁴ ICC-01/05-01/08-1604-Conf-Exp-Anx221, pages 4 to 5.

³⁰⁵ ICC-01/05-01/08-1604-Conf-Exp-Anx222; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 380 to 381.

³⁰⁶ ICC-01/05-01/08-1604-Conf-Exp-Anx222, pages 4 to 5.

The Chamber notes that the date provided by the applicant (March 2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, in particular the reference to the pillage of all houses in the area, and given that the alleged events occurred over eight years ago, the Chamber is of the view that a failure to remember the precise date of the events 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 the [REDACTED] area of [REDACTED] on an unspecified date between 1 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in March 2003, after she had fled her house to seek refuge in the fields, Jean-Pierre Bemba's soldiers pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁸

Analysis and conclusions

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

³⁰⁷ ICC-01/05-01/08-1604-Conf-Exp-Anx223; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 382 to 383.

³⁰⁸ ICC-01/05-01/08-1604-Conf-Exp-Anx223, pages 4 to 5.

The Chamber notes that the date provided by the applicant (March 2003) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, in particular the reference to the pillage of all houses in the area, and given that the alleged events occurred over eight years ago, the Chamber is of the view that a failure to remember the precise date of the events 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 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 between 1 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2002, upon the invasion of [REDACTED] by the Banyamulengués, the Banyamulengués broke into her house and raped her 14 year old daughter, who died two years ago due to illness. The applicant further claims that they looted her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹⁰

Analysis and conclusions

The Chamber notes that it already issued a decision on the merits of the application, whereby it rejected the application on the basis that the “the only

³⁰⁹ ICC-01/05-01/08-1604-Conf-Exp-Anx264; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 78 to 79.

³¹⁰ ICC-01/05-01/08-1604-Conf-Exp-Anx264, pages 9 to 11.

document attached by the applicant to the application form [was] a vaccination card, which does not sufficiently establish the identity of the applicant.”³¹¹ However, given that the applicant subsequently submitted a national identity card and further confirmed that the name and date of birth were accurate, the Chamber is satisfied that the identity of the applicant is sufficiently established. However, in the absence of any document establishing the identity of and kinship with her 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 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 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 27 February 2003, when the village of [REDACTED] was occupied by the Banyamulengués, she fled to the fields, together with her family because they heard some gunshots. She further states that the assailants established their base in the village of [REDACTED] for more than one month and they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³¹³

Analysis and conclusions

³¹¹ ICC-01/05-01/08-1017-Conf-Exp-AnxB, pages 85 to 86.

³¹² ICC-01/05-01/08-1604-Conf-Exp-Anx119; ICC-01/05-01/08-1606-Conf-Exp-Anx3, pages 442 to 443.

³¹³ ICC-01/05-01/08-1604-Conf-Exp-Anx119, 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 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.