

ANNEX A

Group A: Bangui/PK12

o Twelfth transmission - ICC-01/05-01/08-1723-Conf-Exp-Anxs

Applicant [REDACTED]

Claim to victim status

The applicant states that from October 2002 until 15 March 2003, Jean-Pierre Bemba's troops occupied his house, located in the [REDACTED] area of [REDACTED]. According to the applicant, they pillaged all his goods inside the house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²

Analysis and conclusions

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

The Chamber notes that the list of pillaged items appended to the application indicates that his belongings were pillaged in October 2003, and thus at a time falling outside the temporal scope of the present case. However, as in the application form, it is stated that the alleged events occurred between October 2002 and 15 March 2003, 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 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

¹ ICC-01/05-01/08-1723-Conf-Exp-Anx29; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 7 to 8.

² ICC-01/05-01/08-1723-Conf-Exp-Anx29, pages 4 to 5.

suffered 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 26 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2003, when the Banyamulengués arrived and encountered the rebels, they entered the [REDACTED] area of PK [REDACTED] and found him in front of his house. According to the applicant, four of them asked him for money and when he said that he did not have any money, they physically assaulted him. The applicant claims that two of the Banyamulengués entered his house and pillaged his belongings. 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 notes that the date provided by the applicant (31 October 2003) falls outside the temporal scope of the present case.

However, in light of the intrinsic coherence of the application in all other respects, notably the reference to the encounter between the Banyamulengués and the “rebels”, and given that the alleged events occurred over eight years ago, the Chamber is of the view that the reference to 31 October 2003 could be the result

³ ICC-01/05-01/08-1723-Conf-Exp-Anx32; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 9 to 10.

⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx32, pages 4 to 5.

of inadvertent error and that the events occurred on 31 October 2002. 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 PK [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 January 2002, the Banyamulengués coming from the DRC stopped in the village of [REDACTED] located [REDACTED] km from Bangui. According to the applicant, they shot in the air, took his livestock and pillaged his money in his house. Under the section relating to the timeframe of the alleged events, it is stated that the events took place from 18 January 2002 to 15 March 2003. 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 notes that the date provided by the applicant (18 January 2002) falls outside of the temporal scope of the present case. However, given that under the section relating to the timeframe of the alleged events, the applicant states that the events took place from 18 January 2002 to 15 March 2003 and in light of the intrinsic coherence of the application in all other respects, notably the

⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx38; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 11 to 12.

⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx38, pages 4 to 5.

reference to the invasion of the area by the Banyamulengués who were coming from the DRC, the Chamber is of the view that the reference to 18 January 2002 could be the result of inadvertent error and that the alleged events occurred on 18 January 2003. 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 18 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, when he was closing his store located in PK [REDACTED] in [REDACTED] Jean-Pierre Bemba's men wearing military uniforms arrived on a truck and stopped in front of his store. According to the applicant, they were speaking Lingala, threatened him with their guns, asked him to open the door and shot between his legs. The applicant states that one of them physically assaulted and injured him with the cross of his weapon. According to the applicant, they pillaged everything that was in the store. He further reports that his wife and children abandoned him because he was no longer able to provide for his family. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.⁸

Analysis and conclusions

⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx43; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 13 to 14.

⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx43, 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] PK [REDACTED] on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 October 2002, Jean-Pierre Bemba's armed men entered her house located in the [REDACTED] area of [REDACTED] PK [REDACTED]. According to the applicant, they were wearing uniforms, were speaking Lingala and they drove her and her children out of the house and occupied it during five months. The applicant alleges that she could not take anything from her house and sought refuge in the village of [REDACTED]. She mentions that on her way, she was intercepted by soldiers who took her money. The applicant alleges that Jean-Pierre Bemba's men pillaged all her belongings and livestock. She appends a document in which she lists and values her loss. As a result of the alleged event, 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.

⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx44; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 15 to 16.

¹⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx44, 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 the [REDACTED] area of [REDACTED] on and as of 26 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, he left his house located in [REDACTED] PK [REDACTED] to go to the fields, together with his wife. When they heard gunshots, they got scared and wanted to return to their house. However, on their way back, they met a number of people who were fleeing to the fields, including their children. The applicant claims that his children reported that a number of armed men who were wearing uniforms were occupying his house. He further alleges that the armed men, whose chief was Jean-Pierre Bemba, occupied his house during five months and pillaged his belongings and livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged event, 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 he is a victim under Rule 85(a) on the basis

¹¹ ICC-01/05-01/08-1723-Conf-Exp-Anx45; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 17 to 18.

¹² ICC-01/05-01/08-1723-Conf-Exp-Anx45, 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 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's armed men entered her house located in the [REDACTED] area of [REDACTED] whereupon she fled, leaving all her belongings behind. According to the applicant, they occupied her house during five months and pillaged her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged event, 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 27 October 2002.

¹³ ICC-01/05-01/08-1723-Conf-Exp-Anx46; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 19 to 20.

¹⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx46, pages 4 to 5 and 9.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, while he was in his house located in the [REDACTED] area of [REDACTED] PK [REDACTED] he saw Jean-Pierre Bemba's armed men arriving, whereupon he fled together with his family. According to the applicant, Jean-Pierre Bemba's men occupied his house and pillaged his belongings, his shop and his livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged event, the applicant claims to have suffered material harm.¹⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's armed men entered her house located in [REDACTED] PK [REDACTED] while she was at home with her

¹⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx47; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 21 to 22.

¹⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx47, pages 4 to 5 and 9.

¹⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx48; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 23 to 24.

family. According to the applicant, while the men drove her and her family out, two of them tried to rape her but she could escape and she fled together with her husband and children. The applicant alleges that they occupied her house during five months and pillaged everything that was in the house, as well as a car and a shop, located down the street. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 October 2002, he was in his house located in the [REDACTED] area of [REDACTED] PK [REDACTED] together with his wife and his children, when Jean-Pierre Bemba's men arrived in the area and started shooting in the air. According to the applicant he fled together with his family and Jean-Pierre Bemba's men occupied his house during five months, pillaged everything that was in the house as well as his store. The applicant appends a document in

¹⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx48, pages 4 to 5 and 9.

¹⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx49; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 25 to 26.

which he lists and values his loss. As a result of the alleged event, the applicant claims to have suffered material harm.²⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 October 2002.

Applicant [REDACTED]¹

Claim to victim status

The applicant states that on 28 October 2002, Jean-Pierre Bemba's armed men arrived in the [REDACTED] area of PK [REDACTED]. When they got to his house, he fled together with his family, leaving all their belongings behind. According to the applicant, Jean-Pierre Bemba's men occupied his house during five months and pillaged all his belongings in the house. The applicant appends a document in which he lists and values his loss. As a result of the alleged event, the applicant claims to have suffered material harm.²²

Analysis and conclusions

²⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx49, pages 4 to 5 and 9.

²¹ ICC-01/05-01/08-1723-Conf-Exp-Anx50; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 27 to 28.

²² ICC-01/05-01/08-1723-Conf-Exp-Anx50, 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 the [REDACTED] area of PK [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]³

Claim to victim status

The applicant states that on 26 October 2002, Jean-Pierre Bemba's armed men entered her house located in the [REDACTED] area of [REDACTED] PK [REDACTED] and fired shots in the air. The applicant states that they were wearing military clothing. According to the applicant, her husband and children managed to flee but she was stopped by the armed men and five of them raped her while the others pillaged all the goods inside the house. The applicants states that subsequently, they let her go and occupied her house during five months. The applicant appends a document in which she lists and values her loss as well as a medical certificate. As a result of the alleged event, the applicant claims to have suffered physical, psychological and material harm.²⁴

Analysis and conclusions

²³ ICC-01/05-01/08-1723-Conf-Exp-Anx51; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 29 to 30.

²⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx51, pages 4 to 5 and 9 to 10.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués came to his house, located in [REDACTED] shooting seven bullets at the walls. According to the applicant, they occupied his house until their departure to [REDACTED] via PK [REDACTED] and pillaged his property. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.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

²⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx52; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 31 to 32.

²⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx52, pages 4 to 5 and 9 to 10.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]⁷

Claim to victim status

The applicant states that at the end of October 2002, the Banyamulengués invaded the [REDACTED] area of [REDACTED]. According to the applicant, around ten armed men broke into his property, whereupon his family fled. He states that the Banyamulengués shot in the air and shouted at him in their language 'yaka yaka' and 'keba na yo'. The applicant states that he had to stop and that they violently assaulted him before abandoning him under a mango tree. The applicant states that he was released and that the Banyamulengués occupied his house, using it as their headquarters, while he lived with his family in the bush in difficult conditions. The applicant states that they pillaged his house during his absence. The applicant appends a *procès verbal*, signed by him and the *Chef de quartier*, in which he lists and values his loss. As a result of the alleged event, the applicant claims to have suffered material harm.²⁸

Analysis and conclusions

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

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

²⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx54; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 33 to 34.

²⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx54, pages 4 to 5 and 9 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]⁹

Claim to victim status

The applicant states that in November 2002, Mr Bemba's men invaded the [REDACTED] area of PK [REDACTED]. He alleges that seven of them entered his house where he was staying together with his family. According to the applicant, they undressed his wife and his ten-year-old daughter and raped them one after the other while others physically assaulted him and pillaged their belongings. The applicant further alleges that on 27 November 2002, Mr Bemba's men came back to his house and started to take his ducks. The applicant's brother, who was present at that time, tried to resist, whereupon one of the men shot him in the chest, causing his death. The applicant appends a medical certificate indicating that his wife is infected with HIV as well as a death certificate of his brother dated 22 December 2002 and indicating that the death occurred on 27 November 2002. As a result of the alleged event, the applicant claims to have suffered psychological and material harm. He also claims to have suffered psychological harm due to the rape of his daughter and the murder of his brother.³⁰

Analysis and conclusions

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

²⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx55; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 35 to 36.

³⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx55, pages 4 to 5 and 8 to 13.

However, in the absence of any document demonstrating the identity of and kinship with his wife, only the murder of the applicant's brother, the rape of the applicant's daughter and pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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, the rape of his daughter and the murder of his brother by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] in November 2002.

Applicant [REDACTED]¹

Claim to victim status

The applicant states that on 1 November 2002, when Jean-Pierre Bemba's Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] he was at home with one of his sons while his wife and the other children had already fled to the bush. According to the applicant, the soldiers pillaged all his belongings which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.³²

Analysis and conclusions

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

³¹ ICC-01/05-01/08-1723-Conf-Exp-Anx58; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 39 to 40.

³² ICC-01/05-01/08-1723-Conf-Exp-Anx58, pages 4 to 5.

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

Applicant [REDACTED]³

Claim to victim status

The applicant states that on 29 October 2002, when Jean-Pierre Bemba's troops invaded PK [REDACTED] committing pillage, rape and murder, he stayed in his house located in the [REDACTED] area, together with his son. According to the applicant, Jean-Pierre Bemba's troops broke into his house, threatened them with their weapons and pillaged his belongings. The applicant lists his 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 he is a 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 29 October 2002.

³³ ICC-01/05-01/08-1723-Conf-Exp-Anx59; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 41 to 42.

³⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx59, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 12 December 2002, the Banyamulengués invaded the [REDACTED] area of PK [REDACTED] and all the residents fled. He alleges that the Banyamulengués killed his niece and he was looking for the body when the armed soldiers came to his compound, broke the doors, started searching the rooms and pillaged his TV, radio, mattresses, moped and a sum of money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁶

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 niece, 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 the [REDACTED] area of PK [REDACTED] on 12 December 2002.

Applicant [REDACTED]⁷

Claim to victim status

³⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx144; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 43 to 44.

³⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx, pages 4 to 5.

³⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx147; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 45 to 46.

The applicant claims that in February 2003, the Banyamulengués speaking Lingala, a language he could not understand, came to his compound, located in PK [REDACTED] on the road to [REDACTED] and broke into his house. The applicant states that the Banyamulengués beat his brother, who died two days later, and raped and killed his sister. He adds that they abandoned his sister's body in a house and the body was found only four days later. The applicant alleges that he was savagely beaten by Mr Bemba's troops and that his house was pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸

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 brother and 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 PK [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]⁹

Claim to victim status

³⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx147, pages 4 to 5.

³⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx160; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 47 to 48.

The applicant alleges that around 28 or 29 October 2002, after the retreat of Mr Bozizé's troops from PK [REDACTED] and the invasion of the area by the Banyamulengués, she decided to flee from her house, located in the [REDACTED] area of Bangui, together with her three children, in order to take refuge in PK [REDACTED] on the road to [REDACTED]. She states that when she arrived at the [REDACTED], she was intercepted by a group of Congolese soldiers who pillaged her radio set and the alcohol she intended to sell in PK [REDACTED]. The applicant adds that two soldiers got drunk, raped her and that she is now HIV positive. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁰

Analysis and conclusions

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

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

Applicant [REDACTED]¹

Claim to victim status

The applicant alleges that on 2 November 2002, she fled from her house, located in the [REDACTED] area, together with her husband, her son and her sister's husband, in order to take refuge in the fields in [REDACTED]. She states that when they stopped

⁴⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx160, pages 4 to 5.

⁴¹ ICC-01/05-01/08-1723-Conf-Exp-Anx161; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 49 to 50.

in PK [REDACTED] to have breakfast, the Banyamulengués invaded PK [REDACTED] and people started to flee. The applicant and her family took the road to [REDACTED] in order to go to [REDACTED] and it was towards PK [REDACTED] on the road to [REDACTED] where they were intercepted by a group of soldiers who asked them where they were going. She states that her husband told them that they were going to the fields and when the rebels asked him who the applicant was, he told them that she was his wife. The applicant alleges that the soldiers slapped and ill-treated her. When they wanted to rape her, her husband opposed them and one of the soldiers shot at him. The applicant asserts that once her husband stopped moving, the soldiers abandoned her with her dead husband. The applicant appends a declaration of death confirming that the death occurred on 2 November 2002. The applicant declares that her house was not pillaged or damaged. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁴²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and her deceased husband as well as their kinship.

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

Applicant [REDACTED]³

⁴² ICC-01/05-01/08-1723-Conf-Exp-Anx161, pages 4 to 5 and 9 to 12.

⁴³ ICC-01/05-01/08-1723-Conf-Exp-Anx194; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 51 to 52.

Claim to victim status

The applicant alleges that on 30 November 2002, she was at her house, located in the [REDACTED] area of PK [REDACTED] together with her husband and her baby, when Jean-Pierre Bemba's soldiers broke into her house and started beating her husband. She states that they also pillaged all their belongings and before they left they threw her on the ground, undressed her and four of them raped her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁴

Analysis and conclusions

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

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

Applicant [REDACTED]⁵

Claim to victim status

The applicant alleges that on 8 November 2002, when she was at her sister's place, located in the [REDACTED] area of [REDACTED] PK [REDACTED] Mr Bemba's soldiers took her by force and raped her. She adds that they also pillaged her clothes,

⁴⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx194, pages 4 to 5.

⁴⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx196; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 53 to 54.

shoes and a sum of money. The applicant states that she continues to be deeply distressed and that it is difficult for her to find a husband. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁶

Analysis and conclusions

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

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

Applicant [REDACTED]⁷

Claim to victim status

The applicant states that on 1 November 2002, eight Banyamulengués broke into her house, located in PK [REDACTED] and raped her. She further claims that they pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁴⁸

Analysis and conclusions

⁴⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx196, pages 4 to 5.

⁴⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx199; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 55 to 56.

⁴⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

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

In the original application, it is submitted that on 29 October 2003, the applicant was killed by the Banyamulengués close to his house in the village of [REDACTED]. The death certificate appended to the application indicates that the death occurred on 29 October 2003. It is further claimed that the house, goods and animals were destroyed by a grenade and that the applicant was buried next to the house. It is further reported that at the time of the events, [REDACTED] village turned into a battle field between the Banyamulengués and the rebels. It is also reported that the village turned into a camp of the Banyamulengués and that their house became the dormitory. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In the additional statement, it is stated that the date of the events as indicated in the application form and the death certificate is erroneous and that the applicant was killed by a Banyamulengue in PK [REDACTED] on 31

⁴⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx200; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 3 to 4.

October 2002. The person acting on behalf of the applicant further contends that on 1 November 2002, the Banyamulengués pillaged their belongings from their house. She also explains that she is illiterate and that the person who filled in the form erroneously referred to 29 October 2003. In addition, a declaration of death signed and stamped by the *Chef de village* and appended to the application indicates that the death occurred on 31 October 2002 as a result of gunshot.⁵⁰

Analysis and conclusions

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

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that “it is stated, and confirmed in the death certificate, that the events occurred on 29 October 2003 and, as such, in a period falling outside the temporal scope of the case.”⁵¹ In the additional statement, it is stated that the date appearing on the death certificate and provided in the original application is erroneous and that the events occurred on 31 October 2002. Regarding the alleged pillage of the belongings of the applicant and his wife, who is acting on his behalf, the Chamber notes that in the original application, it was explicitly claimed that all their belongings were destroyed due to the shelling of the house while in the additional statement, it is alleged that their belongings were pillaged. The Chamber is of the view that these inconsistencies undermine the credibility of the applicant. Accordingly, the application for participation in the proceedings is rejected.

⁵⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx200, pages 9 to 11, 20, 24.

⁵¹ ICC-01/05-1091-Conf-Exp-AnxA, page 177.

Applicant [REDACTED]²

Claim to victim status

The applicant claims that in November 2002, when Jean-Pierre Bemba's men invaded PK [REDACTED] she fled to the [REDACTED] area of [REDACTED] where she took refuge in her sister-in-law's house. The applicant states that some days later, she decided to go back to her house and found that her belongings, which she lists, had been taken and her house was destroyed. She adds that she could not return to her area and therefore stayed in [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵³

Analysis and conclusions

The Chamber considers that the 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 PK [REDACTED] on an unspecified date in November 2002.

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Applicant [REDACTED]⁴

Claim to victim status

⁵² ICC-01/05-01/08-1723-Conf-Exp-Anx201; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 5 to 6.

⁵³ ICC-01/05-01/08-1723-Conf-Exp-Anx201, pages 9 to 13.

⁵⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx58; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 3 to 4.

The applicant states that on 15 December 2002, when Jean-Pierre Bemba's Banyamulengués, armed with Kalashnikovs, surrounded his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] his family fled. According to the applicant, ten soldiers started pillaging his property and he was beaten by three of them. The applicant also states that he knows Mr Bemba is responsible for the alleged events because he saw him twice with his men at the football field. He appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁵

Analysis and conclusions

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

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 8 December 2002, when seven Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] her husband and her children fled. She states that when she saw them she fell and lost consciousness and that her neighbors reanimated her later. The applicant claims that Jean-

⁵⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx58, pages 4 to 5 and 8 to 9.

⁵⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx59; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 5 to 6.

Pierre Bemba's soldiers pillaged her property. She states that Jean-Pierre Bemba came twice to the football field and was seen as a President by his soldiers. She appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁷

Analysis and conclusions

The Chamber considers that the 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 8 December 2002.

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 18 November 2002, six Banyamulengués came to his house, located in the [REDACTED] area, and one of them beat him with the butt of his Kalashnikov, told him to lie on the floor and threatened to kill him, whilst three soldiers pillaged his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹

Analysis and conclusions

⁵⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx59, pages 4 to 5 and 8 to 10.

⁵⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx60; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 7 to 8.

⁵⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx60, pages 4 to 5 and 8 to 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 the [REDACTED] area of [REDACTED] on 18 November 2002.

Applicant [REDACTED]⁰

Claim to victim status

The applicant states that on 3 January 2003, during the occupation of [REDACTED] [REDACTED] by Jean-Pierre Bemba's rebels, his compound, located in the [REDACTED] area, served as the rebels' headquarters while he and his family had to flee. The applicant claims that his property was pillaged. He appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶¹

Analysis and conclusions

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

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

⁶⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx61; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 9 to 10.

⁶¹ ICC-01/05-01/08-1806-Conf-Exp-Anx61, pages 4 to 5 and 8 to 9.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 3 January 2003.

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 20 February 2003, when eight Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] he fled together with his family, leaving everything behind. He states that Jean-Pierre Bemba's soldiers set up their base in his house and pillaged his property. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 20 February 2003.

Applicant [REDACTED]⁴

Claim to victim status

⁶² ICC-01/05-01/08-1806-Conf-Exp-Anx62; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 11 to 12.

⁶³ ICC-01/05-01/08-1806-Conf-Exp-Anx62, pages 4 to 5 and 8 to 9.

⁶⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx63; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 13 to 14.

The applicant states that on 27 October 2002, he was at home with his family, in [REDACTED] PK [REDACTED] when Jean-Pierre Bemba's armed men, who were wearing military uniforms and who were speaking Lingala, broke into his house and told them to put their hands up. According to the applicant, they pillaged and destroyed his belongings and beat his uncle to death. He further states that he and his family managed to flee, leaving everything behind. He adds that they took refuge in [REDACTED] for a period of six months and when they returned, they could not find any of their belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁵

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 uncle and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]⁶

Claim to victim status

⁶⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx63, pages 4 to 5 and 8.

⁶⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx64; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 15 to 16.

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's men, who were armed and dressed in military uniforms and who were speaking Lingala, came to his house, located in [REDACTED] PK [REDACTED] he, his wife and his children fled. According to the applicant, they took refuge in [REDACTED] for a period of six months and upon their return, on 20 March 2003, they found that their property had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁷

Analysis and conclusions

The Chamber considers that the 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 October 2002 and 15 March 2003.

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's armed men came to her area, [REDACTED] she fled together with her family and took refuge in [REDACTED] for a period of six months. According to the applicant,

⁶⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx64, pages 4 to 5 and 8.

⁶⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx65; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 17 to 18.

upon their return, after the Banyamulengués had been driven out by Mr Bozizé's men, they found that their property had been pillaged and noticed that the walls were riddled with bullets. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁹

Analysis and conclusions

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

The Chamber notes a discrepancy of one day between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of 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 October 2002.

Applicant [REDACTED]⁰

Claim to victim status

⁶⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx65, pages 4 to 5 and 8.

⁷⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx66; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 19 to 20.

The applicant states that between 12 and 13 March 2003, he was at his house, located in the [REDACTED] area of [REDACTED] together with his mother, his brothers and his sister, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and who were speaking Lingala, came and wanted to rape his mother. According to the applicant, his family tried to stop them, as a result of which the Banyamulengués tortured to death his older brother. He further states that he, his mother, his sister and his other brothers managed to flee and sought refuge five kilometres away from their house for a period of two months. He states that upon their return, they found that all their property had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷¹

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 brother and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]²

⁷¹ ICC-01/05-01/08-1806-Conf-Exp-Anx66, pages 4 to 5 and 8.

⁷² ICC-01/05-01/08-1806-Conf-Exp-Anx67; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 21 to 22.

Claim to victim status

The applicant states that on 26 October 2002, she was in PK [REDACTED] where she was hiding together with her family after having fled from PK [REDACTED]. According to the applicant, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, intercepted her nearby her house and three of them raped her, whilst the others entered the house and pillaged her belongings and livestock. The applicant lists her loss. She adds that she is now HIV positive and appends a medical record to that effect. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷³

Analysis and conclusions

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

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

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 28 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her

⁷³ ICC-01/05-01/08-1806-Conf-Exp-Anx67, pages 4 to 5 and 8.

⁷⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx68; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 23 to 24.

house, located in the [REDACTED] area of PK [REDACTED] she fled and left everything behind. According to the applicant, Jean-Pierre Bemba's men occupied her house for a period of six months and pillaged all her property. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁵

Analysis and conclusions

The Chamber considers that the 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 PK [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] her husband fled. According to the applicant, her mother also tried to flee, but the men stopped her and beat her up, which caused her death. She further alleges that she was raped by four men and for this reason her husband abandoned her. The applicant states that she managed to flee to the

⁷⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx68, pages 4 to 5 and 8.

⁷⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx69; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 25 to 26.

bush and that the Banyamulengués occupied her house for a period of five months and pillaged all her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷⁷

Analysis and conclusions

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

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] and drove her and her family out. She states that she found refuge in [REDACTED]. According to the applicant, the

⁷⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx69, pages 4 to 5 and 8.

⁷⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx70; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 27 to 28.

Banyamulengués occupied her house for a period of five months and pillaged all her belongings. She further states that her shop was destroyed and all the merchandise pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁹

Analysis and conclusions

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

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

Applicant [REDACTED]⁰

Claim to victim status

The applicant states that on 27 October 2002, she fled to the bush together with her family and Jean-Pierre Bemba's men came to her house, located in [REDACTED] PK [REDACTED] and occupied it for a period of five months. According to the applicant they

⁷⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx70, pages 4 to 5 and 8.

⁸⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx71; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 29 to 30.

pillaged all her property and destroyed her shop. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸¹

Analysis and conclusions

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

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

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's armed men came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] and asked her for money. The applicant states that she showed them where the money was, that they took it and started to pillage her house. The applicant adds that they hit her son who tried to oppose them. The applicant states that whilst Mr Bemba's men were busy looting, she fled to [REDACTED] together with her son. She further states that upon her return, six months later, she found that her entire property had

⁸¹ ICC-01/05-01/08-1806-Conf-Exp-Anx71, pages 4 to 5 and 8.

⁸² ICC-01/05-01/08-1806-Conf-Exp-Anx72; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 31 to 32.

been looted. 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.⁸³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 and as of 27 October 2002.

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 28 October 2002, seven of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his house, located in [REDACTED] PK [REDACTED] and asked him for money. The applicant further states that, after giving them 200.000 CFA, three of them entered his house, one shot in the air and they started pillaging his belongings.

⁸³ ICC-01/05-01/08-1806-Conf-Exp-Anx72, pages 4 to 5 and 9.

⁸⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx73; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 33 to 34.

The applicant states that he had to flee from the area and sought refuge in [REDACTED] together with his family. According to the applicant, Mr Bemba's men occupied his house for a period of five months and upon his return, he found that all his property had been looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁵

Analysis and conclusions

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

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 25 October 2002, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] and asked her to leave the house. She states that they tied her hands with a rope and covered her mouth as well as her child's mouth with a scarf. According to the applicant, they were set free because one of the perpetrators, who was a woman, intervened, which

⁸⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx73, pages 4 to 5 and 8.

⁸⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx74; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 35 to 36.

enabled her to flee. The applicant claims that Mr Bemba's men stayed in her house for a period of five months and upon her return, she found that her house had been looted. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁷

Analysis and conclusions

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

The Chamber notes that the applicant states that the events took place on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,⁸⁸ the accused is charged with the crimes of murder, rape and pillage committed from "on or about" 26 October 2002 to 15 March 2003. 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

⁸⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx74, pages 4 to 5 and 9 to 10.

⁸⁸ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on or about 26 October 2002.

Applicant [REDACTED]⁹

Claim to victim status

The applicant states that on 27 October 2002, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in [REDACTED] PK [REDACTED]. She states that after shooting in the air, they tried to capture her son but they managed to escape. According to the applicant, Mr Bemba's men stayed in her house for a period of five months and pillaged her belongings and damaged parts of the house. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁰

Analysis and conclusions

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

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

⁸⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx75; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 37 to 38.

⁹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx75, pages 4 to 5 and 8.

Applicant [REDACTED]¹

Claim to victim status

The applicant states that on 27 October 2002, while he was fleeing together with his family from PK [REDACTED] to PK [REDACTED] on the road to [REDACTED] he was captured by the Banyamulengués. He states that they tied him to a tree and ill-treated him and that he was only set free after his wife gave them money. The applicant further alleges that the next day he and other people tried to return to PK [REDACTED] but they found that it had been occupied by the Banyamulengués. The applicant claims that while looking for a refuge, he was captured again by the Banyamulengués on the [REDACTED] road leading to [REDACTED] and he was forced to drink a glass of urine, dig holes and bury dead bodies. He states that his family had been taken hostage to ensure that he would fulfil the task. The applicant states that upon his return to his house, located in PK [REDACTED] he found that his property had been entirely looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹²

Analysis and conclusions

The Chamber considers that the 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

⁹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx76; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 39 to 40.

⁹² ICC-01/05-01/08-1806-Conf-Exp-Anx76, pages 4 to 5, 8 and 10 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]³

Claim to victim status

The applicant states that on 1 November 2002, when a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] her children fled from the house, but she was captured by Mr Bemba's men. She states that she was raped by four of them. According to the applicant, Mr Bemba's men occupied her house for a period of five months and pillaged all her belongings. The applicant appends a document in which she lists and values her loss as well as a medical certificate. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁴

Analysis and conclusions

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

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

⁹³ ICC-01/05-01/08-1806-Conf-Exp-Anx77; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 41 to 42.

⁹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx77, pages 4 to 5, 8 and 11.

Applicant [REDACTED]⁵

Claim to victim status

The applicant states that on 26 October 2002, when Jean-Pierre Bemba's men invaded [REDACTED] PK [REDACTED] she fled together with her mother and they were arrested by a group of Mr Bemba's men on the road to [REDACTED]. The applicant states that they took her belongings and that seven armed men raped her and her mother. She further states that she sought refuge in [REDACTED] for a period of six months and upon her return, she found that her house had been entirely looted. The applicant lists and values her loss and appends medical certificates. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁶

Analysis and conclusions

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

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

⁹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx78; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 43 to 44.

⁹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx78, pages 4 to 5, 8 and 11.

Applicant [REDACTED]⁷

Claim to victim status

The applicant states that on 19 November 2002, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] pointed her with a gun and asked her for her husband and for money. The applicant states that they broke into her house and started to damage it and to pillage all her belongings which forced her to flee to the [REDACTED] village, situated [REDACTED] kilometres away from her house. The applicant alleges that she was separated from her husband for a period of six months due to the fact that the latter had to take refuge in the [REDACTED] village for security reasons. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 the [REDACTED] area of [REDACTED] on 19 November 2002.

⁹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx79; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 45 to 46.

⁹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx79, pages 4 to 5 and 8.

Applicant [REDACTED]⁹

Claim to victim status

The applicant states that on 4 November 2002, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area, PK [REDACTED]. She states that they undressed her, took the money she had on her and forced her and her family to leave the house. The applicant further states that Mr Bemba's men occupied her house for a period of five months, damaged parts of it and pillaged all her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 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 4 November 2002.

Applicant [REDACTED]⁰¹

Claim to victim status

⁹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx80; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 47 to 48.

¹⁰⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx80, pages 4 to 5 and 10.

¹⁰¹ ICC-01/05-01/08-1806-Conf-Exp-Anx81; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 49 to 50.

The applicant states that on 27 October 2002, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. She states that two of them pointed their guns at her, that her husband fled the area, together with their children, and that she was forced to leave the house as well. The applicant states that Mr Bemba's men occupied her house for a period of five months and pillaged all her belongings as well as the money of her shop. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]⁰³

Claim to victim status

The applicant states that on 28 October 2002, a group of Jean-Pierre Bemba's men, who were wearing military uniforms, came to her house, located in the [REDACTED]

¹⁰² ICC-01/05-01/08-1806-Conf-Exp-Anx81, pages 4 to 5 and 9.

¹⁰³ ICC-01/05-01/08-1806-Conf-Exp-Anx82; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 51 to 52.

area of [REDACTED] PK [REDACTED] and asked her for money. She states that one of them slapped her on her face while the others broke into her house and started to destroy everything. The applicant states that Mr Bemba's men occupied her house for a period of five months and pillaged her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁴

Analysis and conclusions

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

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

Applicant [REDACTED]⁰⁵

Claim to victim status

The applicant states that on 28 October 2002, a group of armed men, who were wearing military uniforms and speaking Lingala, came to his house, located in [REDACTED] and forced him and his family to leave. He states that they found refuge in the village of [REDACTED]. The applicant further states that Mr Bemba's men occupied his house for a period of six months and when he came back, he found

¹⁰⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx82, pages 4 to 5 and 9.

¹⁰⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx83; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 53 to 54.

that his house had been entirely damaged and some belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁶

Analysis and conclusions

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

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

Applicant [REDACTED]⁰⁷

Claim to victim status

The applicant states that on 28 October 2002, a group of armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] and asked her for money. She states that after giving them some money, ten of them broke into her house and started to pillage everything. She alleges that when she tried to complain to one of Mr Bemba's

¹⁰⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx83, pages 4 to 5 and 10.

¹⁰⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx84; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 55 to 56.

men, he slapped her in the face and she fell. According to the applicant, she fled the area, together with her children, and found refuge at [REDACTED]. She states that upon her return, six months later, the house was empty. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]⁰⁹

Claim to victim status

The applicant states that on 28 October 2002, a group of armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area of [REDACTED] on the road to [REDACTED] and pillaged her belongings. She further contends that due to her physical handicap, the persons she used to live with fled from the area leaving her in charge of their belongings and money, which were all pillaged by Mr Bemba's men. The applicant appends a document

¹⁰⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx84, pages 4 to 5 and 9.

¹⁰⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx85; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 57 to 58.

in which she lists and values her personal 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 the [REDACTED] area of [REDACTED] on 28 October 2002.

Applicant [REDACTED]¹¹

Claim to victim status

The applicant states that on 26 November 2002, six Banyamulengués came to her shop, located in PK [REDACTED] raped her one after the other and pillaged all her merchandise and money. The applicant lists her loss. She further alleges that her husband abandoned her and her children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹²

Analysis and conclusions

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

¹¹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx85, pages 4 to 5 and 8.

¹¹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx86; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 59 to 60.

¹¹² ICC-01/05-01/08-1806-Conf-Exp-Anx86, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 26 November 2002.

Applicant [REDACTED]¹³

Claim to victim status

The applicant states that on 25 November 2002, when Jean-Pierre Bemba's soldiers arrived in PK [REDACTED] she closed her shop, located at the PK [REDACTED] market and fled the area. However, in the evening, she was informed by her neighbours that her merchandise had been pillaged and her shop destroyed. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁴

Analysis and conclusions

The Chamber considers that the 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 PK [REDACTED] on 25 November 2002.

¹¹³ ICC-01/05-01/08-1806-Conf-Exp-Anx87; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 61 to 62.

¹¹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx87, pages 4 to 5.

Applicant [REDACTED]¹⁵

Claim to victim status

The applicant states that between 23 and 24 November 2002, upon the return of Mr Bemba's soldiers to the [REDACTED] area, she was raped by five men and all her belongings were pillaged. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹¹⁶

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁷

Claim to victim status

The applicant states that on 28 November 2002, his shop, located in [REDACTED] PK [REDACTED] was destroyed and his merchandise pillaged. He further states that his house

¹¹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx88; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 63 to 64.

¹¹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx88, pages 4 to 5.

¹¹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx89; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 65 to 66.

was also looted. He values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 28 November 2002.

Applicant [REDACTED]¹⁹

Claim to victim status

The applicant states that on 25 November 2002, the MLC troops arrived in the [REDACTED] area, where he was living together with his family. According to the applicant, they broke into his house, raped his daughter in front of him, beat him, pillaged all his belongings and forced him and his children to carry the loot to the river. The applicant lists and values 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. However, in the absence of any document demonstrating the

¹¹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx89, pages 4 to 5.

¹¹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx90; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 67 to 68.

¹²⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx90, pages 4 to 5.

identity of his daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]²¹

Claim to victim status

The applicant claims that on 14 November 2002, three soldiers from Mr Bemba's troops came to his older sister's shop, located in the [REDACTED] area of Bangui, took her by force to their base and raped her, which led to her death [REDACTED] later. The applicant appends a death certificate and a declaration of death confirming that the death occurred on [REDACTED] November 2002 as well as medical certificates indicating that the applicant's sister was raped and that she further suffered injuries to the chest. As a result of the alleged events, the applicant claims to have psychological harm.¹²²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and his sister as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a

¹²¹ ICC-01/05-01/08-1806-Conf-Exp-Anx91; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 69 to 70.

¹²² ICC-01/05-01/08-1806-Conf-Exp-Anx91, pages 4 to 5 and 9 to 12.

victim under Rule 85(a), on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the rape and the murder of his sister by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 14 November 2002.

Applicant [REDACTED]²³

Claim to victim status

The applicant states that in November 2002, upon her return from the spring, she found that her family had already fled to the fields and she was intercepted by five Banyamulengués close to her house, located in the [REDACTED] area. According to the applicant, they threatened her and asked her to open the door. She states that they hit her, and two of them raped her whilst the other three pillaged her belongings and money. As a result of the alleged events, the applicant claims to have suffered physical and 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date in November 2002.

¹²³ ICC-01/05-01/08-1806-Conf-Exp-Anx92; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 71 to 72.

¹²⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx92, pages 4 to 5.

Applicant [REDACTED]²⁵

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués invaded the [REDACTED] area of Bangui, he fled to the mountains from where he could see the soldiers pillaging his house. According to the applicant, upon his return the following day, he found that his property had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁶

Analysis and conclusions

The Chamber considers that the 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 Bangui on 24 November 2002.

Applicant [REDACTED]²⁷

Claim to victim status

The applicant states that on 25 November 2002, when the Banyamulengués arrived in the [REDACTED] area of Bangui, she wanted to flee together with her

¹²⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx93; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 73 to 74.

¹²⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx93, pages 4 to 5.

¹²⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx94; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 75 to 76.

family, but she and her two daughters were intercepted and raped by the soldiers. The applicant further states that her property was pillaged. She values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁸

Analysis and conclusions

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

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

Applicant [REDACTED]²⁹

Claim to victim status

The applicant states that on 26 November 2002, when the Banyamulengués arrived in her area, she and her family locked themselves inside the house, but the soldiers broke the door, entered the house and asked them for money. According to the applicant, when she told them she did not have any money,

¹²⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx94, pages 4 to 5.

¹²⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx95; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 77 to 78.

they started pillaging her belongings. She further states that more soldiers arrived and eight of them raped her and her four daughters. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³⁰

Analysis and conclusions

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

The Chamber notes that the applicant does not indicate the precise place of the alleged events, but only declares that the events occurred at her house. Nevertheless, taking into account the intrinsic coherence of the application in all other respects, and notably the fact that the applicant refers to the invasion of the area by the Banyamulengués on 26 November 2002 and that a number of applicants refer to the invasion of different areas in Bangui on 26 November 2002, and taking into account the applicant's current place of residence, the Chamber infers from the application that the alleged events took place in Bangui.

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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on 26 November 2002.

Applicant [REDACTED]³¹

¹³⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx95, pages 4 to 5.

¹³¹ ICC-01/05-01/08-1806-Conf-Exp-Anx96; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 79 to 80.

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués invaded the [REDACTED] area, he fled to the fields. Upon his return, he found that his house had been pillaged and all the windows had been broken. The applicant lists and values his 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 he is a 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 Bangui on an unspecified date as of 24 November 2002.

Applicant [REDACTED]³³

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués invaded the [REDACTED] area shooting their weapons, she hid inside her house. According to the applicant, the soldiers broke into her house and asked her for money. She states that three of them raped her, whilst the other pillaged all her

¹³² ICC-01/05-01/08-1806-Conf-Exp-Anx96, pages 4 to 5.

¹³³ ICC-01/05-01/08-1806-Conf-Exp-Anx97; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 81 to 82.

belongings. The applicant lists and values her loss. As a result of the alleged events the applicant claims to have suffered physical and material harm.¹³⁴

Analysis and conclusions

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

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

Applicant [REDACTED]³⁵

Claim to victim status

The applicant states that on 23 November 2002, he was in a church together with his family, in the [REDACTED] area of Bangui when Mr Bemba's soldiers arrived, threatened them and asked him for money. According to the applicant, they pillaged the money belonging to the church and pillaged his house. He also states that his wife and daughters were raped in front of him. The applicant lists and values his loss. As a result of the alleged events the applicant claims to have suffered material harm.¹³⁶

Analysis and conclusions

¹³⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx97, pages 4 to 5.

¹³⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx98; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 83 to 84.

¹³⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx98, pages 4 to 5.

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 daughters and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]³⁷

Claim to victim status

The applicant states that on 28 November 2002, when the Banyamulengués invaded the [REDACTED] area of Bangui, she tried to flee together with the other residents, but she was intercepted by four soldiers, who hit her and raped her one after the other. The applicant adds that her house was pillaged and she values her loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹³⁸

Analysis and conclusions

The Chamber notes a discrepancy of two months and twelve 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

¹³⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx99; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 85 to 86.

¹³⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx99, pages 4 to 5.

in the electoral card is consistent with the data entered in the application form, the Chamber is of 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 November 2002.

Applicant [REDACTED]³⁹

Claim to victim status

The applicant states that on 24 November 2002, she was at home with her mother and her sister when Mr Bemba's soldiers broke into her compound. According to the applicant they first raped her mother and her sister and then they threw her on the ground and three of them raped her one after the other. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁴⁰

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

¹³⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx100; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 87 to 88.

¹⁴⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx100, pages 4 to 5.

identity of her mother and her sister and the kinship between them, only the applicant's rape will be considered for the purpose of the present assessment.

The Chamber notes that the applicant does not indicate the precise place of the alleged events, but only states that the events occurred at her house. Nevertheless, the Chamber notes that applicants [REDACTED] and [REDACTED] refer to the same event and that it follows from applicant [REDACTED]'s application that the alleged events occurred in the [REDACTED] area of Bangui.

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

Applicant [REDACTED]⁴¹

Claim to victim status

The applicant states that on 24 November 2002, when Mr Bemba's soldiers invaded the [REDACTED] area, she and her family hid in their compound. According to the applicant the Banyamulengués broke into their house and they first raped her mother in front of them and then her older sister and three soldiers raped her one after the other. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁴²

Analysis and conclusions

¹⁴¹ ICC-01/05-01/08-1806-Conf-Exp-Anx101; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 89 to 90.

¹⁴² ICC-01/05-01/08-1806-Conf-Exp-Anx101, pages 4 to 5.

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

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

Applicant [REDACTED]⁴³

Claim to victim status

The applicant states that on 27 November 2002, while she was selling her merchandise, the Banyamulengués invaded her village and people fled from the area. She contends that the Banyamulengués arrived at her house, located in PK [REDACTED] on the road to [REDACTED] and asked her for money. The applicant states that when she told them that she did not have any money, they shot in the air and entered her house. She further contends that three of them raped her one after the other and pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁴

Analysis and conclusions

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

¹⁴³ ICC-01/05-01/08-1806-Conf-Exp-Anx102; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 91 to 92.

¹⁴⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx102, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 27 November 2002.

Applicant [REDACTED]⁴⁵

Claim to victim status

The applicant states that on 23 November 2002, when Mr Bemba's men came to the [REDACTED] area, in the [REDACTED] *arrondissement*, and started shooting, he fled to the fields. He states that upon his return, he found that his house had been completely pillaged, that his livestock had been looted and that his neighbour had been murdered. The applicant lists and values his 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 considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date as of 23 November 2002.

¹⁴⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx103; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 93 to 94.

¹⁴⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx103, pages 4 to 5.

Applicant [REDACTED]⁴⁷

Claim to victim status

The applicant states that on 24 November 2002, upon her return to Bangui from a business trip in [REDACTED] she was intercepted by Mr Bemba's men in [REDACTED] [REDACTED] in the [REDACTED] *arrondissement* of Bangui. She contends that they pillaged all the merchandise in the boat and raped all the women, including her. The applicant states that Mr Bemba's men also pillaged her house. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁸

Analysis and conclusions

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

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

Applicant [REDACTED]⁴⁹

Claim to victim status

The applicant states that on 24 November 2002, upon her return to Bangui from a trip to [REDACTED] the boat she was traveling in was intercepted by the

¹⁴⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx104; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 95 to 96.

¹⁴⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx104, pages 4 to 5.

¹⁴⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx105; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 97 to 98.

Banyamulengués in the [REDACTED] in the [REDACTED] *arrondissement*. She states that the Banyamulengués pillaged all the merchandise in the boat and raped all the women, including children aged between nine and twelve. The applicant alleges that she was raped by four men and that her husband abandoned her. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁰

Analysis and conclusions

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

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

Applicant [REDACTED]⁵¹

Claim to victim status

The applicant states that on 24 November 2002, the boat she was travelling in was intercepted by the Banyamulengués in the [REDACTED] in the [REDACTED] *arrondissement* of Bangui. She states that they separated the men from the women, searched them, took their money and pillaged all the merchandise in the boat, which was then taken to the DRC. She further alleges that she was raped by three of Mr Bemba's men. The applicant values her loss. As a result of the alleged

¹⁵⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx105, pages 4 to 5.

¹⁵¹ ICC-01/05-01/08-1806-Conf-Exp-Anx106; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 99 to 100.

events, the applicant claims to have suffered physical, psychological and material harm.¹⁵²

Analysis and conclusions

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

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

Applicant [REDACTED]⁵³

Claim to victim status

The applicant states that on 23 December 2002, the boat she was travelling in was intercepted by the Banyamulengués in the [REDACTED] in the [REDACTED] *arrondissement* of Bangui. She contends that they pillaged all the belongings of the eighty people travelling with her in the boat, including hers. She further alleges that the Banyamulengués raped her and the other women. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁴

Analysis and conclusions

¹⁵² ICC-01/05-01/08-1806-Conf-Exp-Anx106, pages 4 to 5.

¹⁵³ ICC-01/05-01/08-1806-Conf-Exp-Anx107; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 101 to 102.

¹⁵⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx107, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] on 23 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002, the boat she was travelling in was intercepted by the Banyamulengués at the [REDACTED] in the [REDACTED] *arrondissement* of Bangui. She states that they separated the men from the women, searched the passengers' to take their money and pillaged the passengers' belongings and raped the women. She further states that two Banyamulengués raped her and pillaged her belongings. According to the applicant, the Banyamulengués also pillaged her house. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁵⁶

Analysis and conclusions

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

¹⁵⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx108; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 103 to 104.

¹⁵⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx108, 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, a group of eight Banyamulengués broke into her house, located in the [REDACTED] area. She states that whilst five of them took her aunt to the room next door, the other three raped her one after the other until she fainted. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁵⁷

Analysis and conclusions

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

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

¹⁵⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx109; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 105 to 106.

¹⁵⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx109, pages 4 to 5.

accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 23 November 2002.

Applicant [REDACTED]⁵⁹

Claim to victim status

The applicant states that on 24 November 2002, the Banyamulengués invaded the [REDACTED] area and killed a man. She states that a group of Banyamulengués came to her house, located in the same area, and forced her to get out of the house. The applicant further states that they asked her for money and when she told them she did not have any money, they took her inside the house and four of them raped her, whilst the others pillaged her belongings. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁰

Analysis and conclusions

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

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

¹⁵⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx110; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 107 to 108.

¹⁶⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx110, pages 4 to 5.

Applicant [REDACTED]⁶¹

Claim to victim status

The applicant states that on 25 November 2002, the Banyamulengués invaded the [REDACTED] area of Bangui, came to her house and asked her for money. The applicant further states that one group looted her house and a second group, composed of four men, raped her and her three sisters one after the other. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶²

Analysis and conclusions

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

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

Applicant [REDACTED]⁶³

Claim to victim status

¹⁶¹ ICC-01/05-01/08-1806-Conf-Exp-Anx111; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 109 to 110.

¹⁶² ICC-01/05-01/08-1806-Conf-Exp-Anx111, pages 4 to 5.

¹⁶³ ICC-01/05-01/08-1806-Conf-Exp-Anx112; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 111 to 112.

The applicant states that on 24 November 2002, in [REDACTED] in the [REDACTED] *arrondissement* of Bangui, Jean-Pierre Bemba's men pillaged his merchandise. The applicant lists and values 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 Bangui on 24 November 2002.

Applicant [REDACTED]⁶⁵

Claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués occupied her house, located in the [REDACTED] area of Bangui, and used it as their headquarters. The applicant states that when they left, they damaged and looted the entire house. The applicant values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁶

Analysis and conclusions

¹⁶⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx112, pages 4 to 5.

¹⁶⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx113; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 113 to 114.

¹⁶⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx113, 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 the [REDACTED] area of Bangui on 23 November 2002.

Applicant [REDACTED]⁶⁷

Claim to victim status

The applicant states that on 26 November 2002, the Banyamulengués invaded the [REDACTED] area of Bangui and started to break into all the shops along the road. The applicant states that they also broke into her shop and pillaged her merchandise. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁸

Analysis and conclusions

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

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

¹⁶⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx114; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 115 to 116.

¹⁶⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx114, pages 4 to 5.

Applicant [REDACTED]⁶⁹

Claim to victim status

The applicant states that on 30 October 2002 the Banyamulengués came to her house, located in the [REDACTED] area of Bangui, and told her in French that they were going to set up their base there, threatened her with their guns and escorted her and her son outside the compound. The applicant also states that she heard one of Mr Bemba's men saying 'nawi wona' in Lingala. The applicant claims that she suffered considerable material harm and that her construction material was pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁰

Analysis and conclusions

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

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

Applicant [REDACTED]⁷¹

Claim to victim status

¹⁶⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx115; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 117 to 118.

¹⁷⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx115, pages 4 to 5.

¹⁷¹ ICC-01/05-01/08-1806-Conf-Exp-Anx116; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 119 to 120.

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

It is stated that on 30 October 2002, when the applicant was abroad and when he was planning to return to Bangui together with his eldest son in order to complete the work related to the construction of a building, he was informed by his wife that the Banyamulengués had come to their house, located in the [REDACTED] area of Bangui, driven his wife and younger son out of the house and destroyed and pillaged his property, including the construction material. The loss is listed and valued. As a result of the alleged events, it is claimed that the applicant suffered psychological and material harm.¹⁷²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and his wife, who is acting on his behalf, as well as the kinship between them and the consent given by the applicant for the application being submitted on his behalf by his wife.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

Applicant [REDACTED]⁷³

¹⁷² ICC-01/05-01/08-1806-Conf-Exp-Anx116, pages 4 to 5.

¹⁷³ ICC-01/05-01/08-1806-Conf-Exp-Anx117; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 121 to 122.

Claim to victim status

The applicant is living abroad and the application is introduced on his behalf by his mother.

It is stated that on 30 October 2002, when the applicant was abroad, and when he was planning to return to Bangui together with his father in order to complete the work related to the construction of a building, he was told by his mother that the Banyamulengués had come to their house, located in the [REDACTED] area of Bangui, driven his mother and brother out of the house and pillaged the property in which he had invested his savings. As a result of the alleged events, it is claimed that the applicant suffered psychological and material harm.¹⁷⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and his mother, who is acting on his behalf, as well as the kinship between them and the consent given by the applicant for the application to be submitted on his behalf by his mother.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

Applicant [REDACTED]⁷⁵

¹⁷⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx117, pages 4 to 5.

¹⁷⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx118; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 123 to 124.

Claim to victim status

The applicant is living abroad and the application is introduced on his behalf by his mother.

It is stated that on 30 October 2002, when the applicant returned to his compound, located in the [REDACTED] area of Bangui, he saw soldiers in front of the compound and one of them pointed his gun at him and asked him to get out of his vehicle, took his car keys and gave them to another man who drove the car inside the compound. According to the applicant, he saw his mother being escorted at gun point outside the house and he could hear one of the men who were speaking in Lingala saying that they would establish their base there. The applicant claims that the property was pillaged and damaged. As a result of the alleged events, it is claimed that the applicant suffered psychological and material harm.¹⁷⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and his mother, who is acting on his behalf, as well as the kinship between them and the consent given by the applicant for the application to be submitted on his behalf by his mother.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his personal belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

¹⁷⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx118, pages 4 to 5.

Applicant [REDACTED]⁷⁷

Claim to victim status

The applicant states that on 31 October 2002, the Banyamulengués invaded PK [REDACTED] and came to the restaurant where her niece was working, and asked her to cook a duck for them. When they finished eating, three soldiers raped her one after the other. It is stated that a fourth soldier also wanted to rape her but her niece resisted whereupon the soldiers beat her with a pestle until their chief intervened to appease the situation. The applicant states that her niece, who was three months pregnant at that time, died in the same evening. The death certificate appended to the application indicates that the death occurred on 31 October 2002. It is also stated that the rebels pillaged a sum of money that her niece had on her. In addition, the applicant states that the soldiers pillaged the applicant's house, including their kitchen utensils and their mattresses. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her niece as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the rape and murder of her niece and the pillage of her personal belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 31 October 2002.

¹⁷⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx119; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 125 to 126.

¹⁷⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx119, pages 4 to 5 and 9 to 13.

Applicant [REDACTED]⁷⁹

Claim to victim status

The applicant states that the events took place from 11 to 14 November 2002 in [REDACTED]. According to the applicant, when Bozizé's rebels invaded PK [REDACTED] and the army of the Central African Republic tried to drive them out and dropped bombs in their area, she had to flee together with her family to PK [REDACTED]. According to the applicant, when she found out that her father, who had stayed behind at their house, had been killed, she decided to return to the house. On her way back home, she and her family were intercepted by a group of Banyamulengués and taken to their chief. The applicant states that she was raped in front of her family by three soldiers. The applicant claims that when she reached her home she found that her father had not been killed but that the house had been occupied by the soldiers who pillaged all their belongings. The applicant adds that she is now HIV positive and that her husband abandoned her. She appends a drawing of the place where the alleged events occurred. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸⁰

Analysis and conclusions

The Chamber considers that the documents provided 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

¹⁷⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx121; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 127 to 128.

¹⁸⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx121, pages 4 to 5. and 8 to 9

that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 11 and 14 November 2002.

Applicant [REDACTED]⁸¹

Claim to victim status

The applicant states that on 23 November 2002, the rebels attacked Bangui and on 24 November 2002, there were clashes between the Libyan army and the rebels, and most of these clashes took place in [REDACTED]. He further states that on 25 November 2002 the Banyamulengués invaded [REDACTED] and seven of them came to his house, shooting their guns and pillaged his belongings. The applicant states that later on, a group of eight Banyamulengués came to his house and abducted them, threatened them and asked them a set of questions regarding the rebels. According to the applicant when he was released he went to the bush to search for his family and then they returned to Bangui. The applicant adds that on 7 December 2002 the Banyamulengués left to [REDACTED] and on their way there, they broke into his farm and took his agricultural products and animals, which he lists. He further claims that his inn, located in [REDACTED] was looted. 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.

¹⁸¹ ICC-01/05-01/08-1806-Conf-Exp-Anx123; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 129 to 130.

¹⁸² ICC-01/05-01/08-1806-Conf-Exp-Anx123, 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] and in [REDACTED] on 25 and 26 November 2002 and on an unspecified date as of 7 December 2002.

Applicant [REDACTED]⁸³

Claim to victim status

The applicant states that at the end of October 2002, she was in the fields when she was informed that her son had been shot dead in PK [REDACTED] by the Banyamulengués who thought that he was a rebel. The applicant appends her son's death certificate which indicates that he died on 28 October 2002. As a result of the alleged events, the applicant claims to have suffered psychological harm.¹⁸⁴

Analysis and conclusions

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

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

¹⁸³ ICC-01/05-01/08-1806-Conf-Exp-Anx125; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 131 to 132.

¹⁸⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx125, pages 4 to 5 and 8.

Applicant [REDACTED]⁸⁵

Claim to victim status

The application is introduced on behalf of the victim by her daughter.

It is stated that on 31 October 2002, when the Banyamulengués entered PK [REDACTED] and started breaking into shops, the applicant locked herself in the house and hid under the bed but some soldiers saw her and told her in Lingala 'yaka yaka'. Once she was out, it is stated that one of the soldiers took his knife and open her clothes to take the money she had around her hips. It is stated that the soldiers pillaged the applicant's property as well. The loss is listed. As a result of the alleged events, it is stated that the applicant suffered material harm.¹⁸⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her daughter, who is acting on her behalf, as well as the kinship between them and the consent given by the applicant for the application to be introduced on her behalf by her daughter.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she 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 PK [REDACTED] on 31 October 2002.

¹⁸⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx126; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 133 to 134.

¹⁸⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx126, pages 4 to 5.

Applicant [REDACTED]⁸⁷

Claim to victim status

The applicant states that in November 2002, her husband and children were on holiday and she was alone in her house, located in [REDACTED] when the Banyamulengués, who were speaking Lingala and French, broke into her house. The applicant claims that she hid under the bed, but they found her, slapped her and two of them raped her. She states that she took refuge in a neighbour's house, who was also the victim of attacks and pillage. She states that she was set free the following day. She also states that she was subsequently infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁸⁸

Analysis and conclusions

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

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

Applicant [REDACTED]⁸⁹

Claim to victim status

¹⁸⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx127; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 135 to 136.

¹⁸⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx127, pages 4 to 5.

¹⁸⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx128; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 137 to 138.

The applicant states that on 26 October 2002, when she went to visit her grandmother and her brother in PK [REDACTED] she was intercepted by two Banyamulengués who raped her one after the other. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.¹⁹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]⁹¹

Claim to victim status

The applicant states that on 3 February 2003, her son was intercepted in [REDACTED] PK [REDACTED] by a group of Banyamulengués, who forced him to rape an old woman who had been intercepted by the same soldiers. She claims that when her son refused to do so, one of the soldiers slapped him and when he hit the soldier back, the other men started torturing him and abandoned him after having almost killed him. According to the applicant, the other traders brought her son home, where he died during the night. She appends a declaration of death which

¹⁹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx128, pages 4 to 5.

¹⁹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx129; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 139 to 140.

confirms that her son died on 3 February 2003. As a result of the alleged events, the applicant claims to have suffered psychological harm.¹⁹²

Analysis and conclusions

The Chamber considers that the 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 murder of her son by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 3 February 2003.

Applicant [REDACTED]⁹³

Claim to victim status

The applicant states that on 27 November 2002, some young men in PK [REDACTED] tried to prevent the Banyamulengués from entering the area, which infuriated the Banyamulengués. According to the applicant, she and five of her sisters hid in a room inside the house, whilst her mother was hiding in another room. She claims that the soldiers broke into the house and found them there, and they raped her until she lost consciousness. The applicant states that her mother was forced to come out of her hiding place and to give them a sum of money. She adds that the men also pillaged her family's property. The applicant further states that at the time of the events she was pregnant and her partner abandoned her after the

¹⁹² ICC-01/05-01/08-1806-Conf-Exp-Anx129, pages 4 to 5.

¹⁹³ ICC-01/05-01/08-1806-Conf-Exp-Anx130; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 141 to 142.

rape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹⁴

Analysis and conclusions

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

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

Applicant [REDACTED]⁹⁵

Claim to victim status

The applicant states that on 27 October 2002, when he was getting ready to flee together with his family to the fields, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his compound, located in [REDACTED] PK [REDACTED] and one of them opened fire. The applicant states that he and his family fled leaving everything behind, took refuge in the fields for a period of six months and upon their return, found that their property had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁶

¹⁹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx130, pages 4 to 5 and 8.

¹⁹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx131; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 143 to 144.

¹⁹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx131, pages 4 to 5 and 8.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 PK [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]⁹⁷

Claim to victim status

The applicant states that on 27 October 2002, after his parents had fled from the area due to security reasons, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his house, located in [REDACTED]. He states that one of Mr Bemba's men opened fire and that they broke into his house and pointed their guns at him and his nephew, asked him if he was a rebel and started pillaging his belongings. According to the applicant, after the pillaging, Mr Bemba's men let him go and he found refuge in the [REDACTED] village for a period of five months. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁸

Analysis and conclusions

¹⁹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx132; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 145 to 146.

¹⁹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx132, 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] on 27 October 2002.

Applicant [REDACTED]⁹⁹

Claim to victim status

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, occupied [REDACTED] PK [REDACTED] he fled to the fields together with his parents, sisters and brothers. He states that upon his return, five months later, he found that his house had been entirely looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁰

Analysis and conclusions

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

¹⁹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx133; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 147 to 148.

²⁰⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx133, pages 4 to 5 and 7.

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

Applicant [REDACTED]⁰¹

Claim to victim status

The applicant states that on 26 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and who were speaking Lingala, occupied [REDACTED] he fled together with his family. He states that upon his return, five months later, he found that his house had been entirely looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰²

Analysis and conclusions

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

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

²⁰¹ ICC-01/05-01/08-1806-Conf-Exp-Anx134; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 149 to 150.

²⁰² ICC-01/05-01/08-1806-Conf-Exp-Anx134, pages 4 to 5 and 8.

Applicant [REDACTED]⁰³

Claim to victim status

The applicant states that on 28 October 2002, when Jean-Pierre Bemba's men, who were committing acts of violence, came to [REDACTED] he fled together with his family and took refuge in his grandmother's house. According to the applicant, upon his return, five months later, he found that his house and livestock had been completely pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 28 October 2002.

Applicant [REDACTED]⁰⁵

Claim to victim status

The applicant states that on 29 October 2002, when a group of approximately thirty of Jean-Pierre Bemba's armed men, who were wearing military uniforms

²⁰³ ICC-01/05-01/08-1806-Conf-Exp-Anx135; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 151 to 152.

²⁰⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx135, pages 4 to 5 and 8.

²⁰⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx136; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 153 to 154.

and speaking Lingala, came to his farm, located in the [REDACTED] area, eight kilometres away from his house and started killing his livestock, he had to flee. According to the applicant, on the same day, his house, located in [REDACTED] was looted and occupied by Mr Bemba's men, who forced his wife and children to leave. The applicant further states that he found his family four days later in the [REDACTED] village, where they took refuge for a period of five months. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁶

Analysis and conclusions

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

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

Applicant [REDACTED]⁰⁷

Claim to victim status

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

It is stated that on 26 October 2002, when a group of approximately 22 of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking

²⁰⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx136, pages 4 to 5 and 8.

²⁰⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx137; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 155 to 156.

Lingala, came to their house, located in [REDACTED] PK [REDACTED] the applicant's wife fled, together with their children, whilst the applicant stayed in the house in order to protect their property. It is stated that Mr Bemba's men tied the applicant to a mango tree and tortured him to death. The person acting on behalf appends a death certificate indicating that the death occurred on 27 October 2002. As a result of the alleged events, it is claimed that the applicant suffered physical harm.²⁰⁸

Analysis and conclusions

The Chamber notes a discrepancy of seven years between the date of birth as appearing in the application form and on the death certificate attached thereto. However, given that the remainder of the information provided in the death certificate is consistent with the data entered in the application form and that this date corresponds to the date of birth of the person acting on behalf of the applicant, the Chamber is of view that this might be the result of an inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of both the applicant and his wife, who is acting on his behalf, as well as the kinship between them.

Having considered the application as a whole, the Chamber considers that sufficient evidence had been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 26 October 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that she is

²⁰⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx137, pages 4 to 5 and 8 to 9.

a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the murder of her husband by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 26 October 2002.

Applicant [REDACTED]⁰⁹

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, invaded the area of [REDACTED] PK [REDACTED] and they were occupying houses and pillaging people's belongings. According to the applicant, he fled together with his family, seeking refuge in the fields. He states that upon his return, five months later, he found that it had been looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 October 2002.

²⁰⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx138; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 157 to 158.

²¹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx138, pages 4 to 5 and 8.

Applicant [REDACTED]¹¹

Claim to victim status

The applicant states that on 28 October 2002, when Jean-Pierre Bemba and his armed men, who were wearing military uniforms and speaking Lingala, invaded the area of [REDACTED] he fled together with his family. He states that upon his return, five months later, he found that his house had been looted. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 as of 28 October 2002.

Applicant [REDACTED]¹³

Claim to victim status

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

²¹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx139; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 159 to 160.

²¹² ICC-01/05-01/08-1806-Conf-Exp-Anx139, pages 4 to 5 and 8.

²¹³ ICC-01/05-01/08-1806-Conf-Exp-Anx140; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 161 to 162.

It is stated that on 2 November 2002 around twenty of Jean-Pierre Bemba's men came to the applicant's house, located in the [REDACTED] village, and one of them shot the applicant in the stomach, who died immediately as a consequence of his wounds. The person acting on behalf appended a declaration of death signed and stamped by the "chef de village" which confirms that the applicant died on 2 November 2002. As a result of the alleged events, it is claimed that the applicant suffered physical harm.²¹⁴

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁵

²¹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx140, pages 2 to 3 and 7.

²¹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx177; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 163 to 164.

Claim to victim status

The applicant states that on 26 November 2002 when Mr Bemba's soldiers came to the [REDACTED] area, he was at the market and he returned to his house. He states that they went from house to house to pillage goods and rape women. According to the applicant they also broke into his house, asked him for money and because he did not have any money, they started pillaging his property and forced him to carry the loot to the Oubangui River, which took him three days. The applicant lists and values 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.

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

Applicant [REDACTED]¹⁷

Claim to victim status

The applicant states that on 28 November 2002, Mr Bemba's soldiers came to her house, located in the [REDACTED] area of [REDACTED] knocked on her door and because

²¹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx177, pages 4 to 5.

²¹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx178; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 165 to 166.

she and her family refused to open the door they broke into the house and held them hostage for the next three days. The applicant states that she told them that she was four months pregnant, but three soldiers raped her one after the other. She adds that after the rape her husband abandoned her and their children. The applicant further states that all her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²¹⁸

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁹

Claim to victim status

The applicant states that on 30 November 2002, Mr Bemba's soldiers came to his house, located in the [REDACTED] area of Bangui, knocked on his door and when he opened the door they started searching the house. The applicant states that they asked him for money and because he did not have any, four

²¹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx178, pages 3 and 5.

²¹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx179; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 167 to 168.

Banyamulengués raped his sister in front of him and of her husband. The applicant states that they then pillaged his property and forced them to carry the loot to the river. The applicant lists and values 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. However, in the absence of any document demonstrating the identity of his sister and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]²¹

Claim to victim status

The applicant states that on 23 November 2002, when Mr Bemba's soldiers arrived in their neighbourhood she was frightened and she locked herself inside her house, located in the [REDACTED] area of Bangui, together with her two younger brothers. According to the applicant, three Banyamulengués knocked on the door and because they refused to open the door they broke into the house and asked her for money. As she did not have any money, they slapped her, she

²²⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx179, pages 4 and 5.

²²¹ ICC-01/05-01/08-1806-Conf-Exp-Anx180; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 169 to 170.

fell and they raped her. She adds that her belongings were pillaged. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²²²

Analysis and conclusions

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

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

Applicant [REDACTED]²³

Claim to victim status

The applicant states that on 28 November 2002, when Mr Bemba's soldiers came to his area, shooting their guns, he was at the market selling his merchandise. When he returned to his house, he knocked on the door and his family let him in. However, there were three soldiers behind him who then broke into their house. According to the applicant, they took his four sisters, who were still virgins, and raped them in front of him. He further claims that they pillaged his property. The

²²² ICC-01/05-01/08-1806-Conf-Exp-Anx180, pages 4 and 5.

²²³ ICC-01/05-01/08-1806-Conf-Exp-Anx181; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 171 to 172.

applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁴

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 sisters, only pillage will be considered for the purpose of the present assessment.

The Chamber further notes that the applicant only declares that the alleged events occurred in his house, without indicating the precise place of the alleged events. However, in light of the current place of residence of the applicant and the reference to the invasion of this area by the soldiers of Jean-Pierre Bemba on 28 November 2002 which according to a number of applicants took place in [REDACTED] the Chamber infers from the application that the alleged events occurred in [REDACTED]. 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 28 November 2002.

Applicant [REDACTED]²⁵

Claim to victim status

The applicant states that on 25 November 2002, when Jean-Pierre Bemba's soldiers arrived in the [REDACTED] area of Bangui, she wanted to flee but she was

²²⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx181, pages 4 to 5.

²²⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx182; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 173 to 174.

intercepted by the soldiers and forced to carry their loot to the river. According to the applicant, when she reached the river a soldier asked her for money and when she told him that she did not have any money, he hit her. The applicant fell, whereupon another soldier undressed her and they raped her one after the other. The applicant further claims that her belongings which she lists and values were pillaged. As a result of the alleged events, the applicant claims to have suffered physical and 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 25 November 2002.

Applicant [REDACTED]²⁷

Claim to victim status

The applicant states that on 24 November 2002, when Mr Bemba's soldiers entered the [REDACTED] area, he was in the fields. Upon his return, he could see people running in all directions. According to the applicant, he went to his house to take his family and they fled together to the fields. He claims that his

²²⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx182, pages 4 to 5.

²²⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx183; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 175 to 176.

belongings were pillaged and he lists and values his loss. He further states that the soldiers forced people to carry the looted goods, shot people who refused to give them money and even raped the women. 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 the [REDACTED] area of Bangui on 24 November 2002.

Applicant [REDACTED]²⁹

Claim to victim status

The applicant states that on 28 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of Bangui. She states that they took her and her family hostage for a period of three days, during which they raped her and her sisters in front of their brother. The applicant specifies that she was only twelve years old and a virgin at the time of the rape. The applicant adds that one of her sisters got pregnant after the rape. She further claims that she lost her

²²⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx183, pages 4 to 5.

²²⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx184; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 177 to 178.

belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any documents demonstrating the identity of and kinship with her sisters, only the rape of the applicant 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 and her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 November 2002.

Applicant [REDACTED]³¹

Claim to victim status

The applicant states that on 24 November 2002, when Mr Bemba's soldiers came to the [REDACTED] area of Bangui, he was at his work place. Upon his return he was forced to flee to the fields, because of the general chaos. According to the applicant, when he returned to look after his property, he saw that the Banyamulengués were breaking into his house and pillaging his belongings. He adds that they also tried to catch him but he managed to escape. The applicant

²³⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx184, pages 4 to 5.

²³¹ ICC-01/05-01/08-1806-Conf-Exp-Anx185; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 179 to 180.

lists and values 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.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 Bangui on 24 November 2002.

Applicant [REDACTED]³³

Claim to victim status

The applicant states that on 22 November 2002, four Banyamulengués took her hostage for a period of two weeks, during which they raped her and forced her to cook for them. The applicant states that she suffers from the fact that her entire neighbourhood calls her “the Banyamulengués’ woman”. The applicant also states that they pillaged her house, located in the [REDACTED] area of Bangui. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁴

Analysis and conclusions

²³² ICC-01/05-01/08-1806-Conf-Exp-Anx185, pages 4 to 5.

²³³ ICC-01/05-01/08-1806-Conf-Exp-Anx186; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 179 to 180.

²³⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx186, pages 4 and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on an unspecified date as of 22 November 2002.

Applicant [REDACTED]³⁵

Claim to victim status

The applicant states that on 28 November 2003, when the Banyamulengués came to the [REDACTED] area of Bangui, they broke into her house and raped her and her three sisters, who were all virgins. The applicant states that the soldiers stayed in their house for three days and continued to rape the applicant and her sisters, who were not fed. The applicant states that they further pillaged her belongings. She lists and values and her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of her three sisters and the kinship between them, only the rape of the

²³⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx187; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 183 to 184.

²³⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx187, pages 4 and 5.

applicant and pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]³⁷

Claim to victim status

The applicant states that on 25 November 2002, when the Banyamulengués entered [REDACTED] she was hiding inside her house, together with her two sons and her younger sister. The applicant states that the soldiers broke into her house, threw her on the ground and raped her and her sister one after the other. The applicant states that subsequently, the soldiers pillaged all her property. She values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁸

Analysis and conclusions

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

²³⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx188; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 185 to 186.

²³⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx188, pages 4 and 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 25 November 2002.

Applicant [REDACTED]³⁹

Claim to victim status

The applicant states that Mr Bemba's soldiers set up their base on the riverbank and from time to time, they went to the [REDACTED] area of Bangui to commit pillage. The applicant states that on 28 November 2002, they came to his place and asked him for money and when he told them he did not have any money, they broke into his house, searched it, and found and looted his money. The applicant further states that they pillaged his belongings. The applicant also states that he fled and when he returned, nothing was left in his house. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁰

Analysis and conclusions

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

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

²³⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx189; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 187 to 188.

²⁴⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx189, pages 4 and 5.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 November 2002.

Applicant [REDACTED]⁴¹

Claim to victim status

The applicant states that on 26 November 2002, when Mr Bemba's soldiers came to his house located in the [REDACTED] area of Bangui, he fled and took refuge at his brother's house. The applicant states that upon his return, he found that his house had been pillaged and destroyed. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a 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 Bangui on an unspecified date as of 26 November 2002.

Applicant [REDACTED]⁴³

²⁴¹ ICC-01/05-01/08-1806-Conf-Exp-Anx190; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 189 to 190.

²⁴² ICC-01/05-01/08-1806-Conf-Exp-Anx190, pages 4 and 5.

²⁴³ ICC-01/05-01/08-1806-Conf-Exp-Anx191; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 191 to 192.

Claim to victim status

The applicant states that on 24 November 2002, when Mr Bemba's soldiers came to the [REDACTED] area, he fled and took refuge sixteen kilometers away from his house. The applicant states that upon his return he found that his belongings and livestock had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁴

Analysis and conclusions

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

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

²⁴⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx191, pages 4 and 5.