

ANNEX B

Group B: Damara/Sibut

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

Applicant [REDACTED]

Claim to victim status

The applicant is deceased and the application is introduced on his behalf by his son. It is stated that on 31 October 2002, Jean-Pierre Bemba's troops came to the village of [REDACTED] located in PK [REDACTED] and shot in the air. According to the person acting on behalf, his father hid in his house and when he came out, a soldier from the MLC asked for his money and for a papaya. The soldier then shot him in the stomach and he subsequently died. The death certificate appended to the application indicates that the death of the applicant occurred on 31 October 2002. As a result of the alleged event, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf claims to have suffered psychological harm.²

Analysis and conclusions

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

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

¹ ICC-01/05-01/08-1723-Conf-Exp-Anx30; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 58 to 59.

² ICC-01/05-01/08-1723-Conf-Exp-Anx30, pages 4 to 5.

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 31 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 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 father by the Banyamulengués of Jean Pierre Bemba in [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, armed men who were wearing uniforms and who were belonging to Jean-Pierre Bemba's troops took control of the city of [REDACTED]. According to the applicant she was driven out of the city and fled to the bush together with her family, leaving all her belongings behind. The applicant claims that all her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁴

Analysis and conclusions

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

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

³ ICC-01/05-01/08-1723-Conf-Exp-Anx41; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 60 to 61.

⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx41, pages 4 to 5.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, when the clashes between Bozizé's rebels and Mr Bemba's rebels started in the [REDACTED] village, situated [REDACTED] kilometers away from [REDACTED], all the residents fled to the bush. The applicant states that after the Banyamulengués had driven out Bozizé's rebels and taken control over [REDACTED] they pillaged all the houses in the region. According to the applicant, on 9 December 2002, when he went back to his house to check on his property, together with his son and two women, he was intercepted by the Banyamulengués who tortured him. He adds that when he reached his house, he found that all his property had been looted and that the looted goods had been carried away in a truck. The applicant states that he asked Colonel [REDACTED] to return his belongings but that he has not received anything. The applicant lists his loss and he appends an *attestation de relevé de constat de vol et de pillage*. As a result of the alleged events, the applicant claims to have suffered material harm.⁶

Analysis and conclusions

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

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

⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx42; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 62 to 63.

⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx42, pages 4 to 5 and 8 to 14.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] village near [REDACTED] on an unspecified date between 7 and 9 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in February 2003, Jean-Pierre Bemba's men arrived in the [REDACTED] area of [REDACTED] and committed rape, torture and pillage. She claims that the population was forced to flee and she adds that she also sought refuge in the fields. The applicant alleges that when she returned to her house, a few days later, she found that all her belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.⁸

Analysis and conclusions

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

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

⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx180; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 64 to 65.

⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx180, pages 4 to 5.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 5 February 2003, Jean-Pierre Bemba's men broke into her house, located in the [REDACTED] area of [REDACTED] and pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 5 February 2003.

Applicant [REDACTED]¹

Claim to victim status

The applicant alleges that on 5 February 2003, her house, located in the [REDACTED] area of [REDACTED] was set on fire by the Banyamulengués. She claims that due to the burning of her house, she lost all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹²

⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx181; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 66 to 67.

¹⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx181, pages 4 to 5.

¹¹ ICC-01/05-01/08-1723-Conf-Exp-Anx182; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 68 to 69.

¹² ICC-01/05-01/08-1723-Conf-Exp-Anx182, pages 4 to 5.

Analysis and conclusions

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

The Chamber observes that the applicant states that her house was burned. In this regard, the Chamber recalls that it has already ruled that in case of destruction of property by fire, when there is no indication that the property was looted before being destroyed, applications for participation will be rejected.¹³ In the present case, the applicant states that she lost all her belongings due to the burning of her house. In the absence of any indication that her belongings were pillaged, the Chamber is of the view that the harm suffered by the applicant is not related to the charges confirmed against the accused. Under these circumstances, the application for participation in the proceedings is rejected.

Applicant [REDACTED]⁴

Claim to victim status

The applicant alleges that on 5 February 2003, when he had fled from his house to take refuge in the fields, the Banyamulengués broke the door of his house, located in the [REDACTED] area of [REDACTED] and pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵

Analysis and conclusions

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

¹³ ICC-01/05-01/08-1017, paragraph 56.

¹⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx183; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 70 to 71.

¹⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx183, 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 5 February 2003.

Applicant [REDACTED]⁶

Claim to victim status

The applicant alleges that on 5 February 2003, Jean-Pierre Bemba's men arrived in the [REDACTED] area of [REDACTED]. He mentions that he is a stockbreeder and a farmer and that Mr Bemba's men pillaged his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷

Analysis and conclusions

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

The Chamber notes that in the description of the events, the applicant states that the alleged events occurred on 5 February 2003 while in the section relating to the date of the events, it is provided that the events occurred on 5 February 2011. In light of the intrinsic coherence of the application in all other respects, the Chamber is of the view that this inconsistency is 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 suffered personal

¹⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx184; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 72 to 73.

¹⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx184, pages 4 to 5.

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 5 February 2003.

Applicant [REDACTED]⁸

Claim to victim status

The applicant alleges that on 5 February 2003 in the [REDACTED] area of [REDACTED] the vehicle she was travelling in was intercepted by Jean-Pierre Bemba's men. She claims that the soldiers looted her money and took her inside a house and raped her. She adds that she is now HIV positive. The applicant further states that the soldiers took the vehicle, along with all the merchandise. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 5 February 2003.

¹⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx185; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 74 to 75.

¹⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx185, pages 4 to 5.

Applicant [REDACTED]⁰

Claim to victim status

The applicant alleges that on 5 February 2003, when the soldiers of Jean-Pierre Bemba entered the [REDACTED] area of [REDACTED] the population fled because the soldiers were committing murder, rape and pillage. The applicant states that the soldiers pillaged all the houses in the area, including his own house. As a result of the alleged events, the applicant claims to have suffered material harm.²¹

Analysis and conclusions

The Chamber considers that the 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 5 February 2003.

Applicant [REDACTED]²

Claim to victim status

The applicant alleges that on 5 February 2003, when Jean-Pierre Bemba's men entered the [REDACTED] area of [REDACTED] he was in the fields, where he was informed about the events by the people who were fleeing. The applicant states that the

²⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx186; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 76 to 77.

²¹ ICC-01/05-01/08-1723-Conf-Exp-Anx186, pages 4 to 5.

²² ICC-01/05-01/08-1723-Conf-Exp-Anx187; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 78 to 79.

soldiers pillaged his cattle and his garden tools. As a result of the alleged events, the applicant claims to have suffered material harm.²³

Analysis and conclusions

The Chamber considers that the 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 5 February 2003.

Applicant [REDACTED]⁴

Claim to victim status

The applicant alleges that in February 2003, after attacking the [REDACTED] area of [REDACTED] the Banyamulengués came to the [REDACTED] area and the population fled to the fields. He claims that Jean-Pierre Bemba's men pillaged everything they could find on their way and committed rapes and other inhumane acts. The applicant alleges that they shot and killed his goats and took them as food supplies. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁵

Analysis and conclusions

²³ ICC-01/05-01/08-1723-Conf-Exp-Anx187, pages 4 to 5.

²⁴ ICC-01/05-01/08-1723-Conf-Exp-Anx188; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 80 to 81.

²⁵ ICC-01/05-01/08-1723-Conf-Exp-Anx188, 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 [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]⁶

Claim to victim status

The applicant alleges that on 5 February 2003, upon their arrival in the [REDACTED] area of [REDACTED] Jean-Pierre Bemba's men pillaged his cameras and his bicycle. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷

Analysis and conclusions

The Chamber considers that the 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 5 February 2003.

Applicant [REDACTED]⁸

²⁶ ICC-01/05-01/08-1723-Conf-Exp-Anx189; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 82 to 83.

²⁷ ICC-01/05-01/08-1723-Conf-Exp-Anx189, pages 4 to 5.

Claim to victim status

The applicant alleges that on 5 February 2003, Jean-Pierre Bemba's men arrived in the [REDACTED] area of [REDACTED]. He claims that during their occupation of [REDACTED], they ate his goats and poultry. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹

Analysis and conclusions

The Chamber considers that the 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 5 February 2003.

Applicant [REDACTED]⁰

Claim to victim status

The applicant alleges that on 5 February 2003, Jean-Pierre Bemba's Banyamulengués arrived in the [REDACTED] area of [REDACTED]. As they were shooting with their weapons, he was forced to flee. He claims that during his absence, his house was damaged and all his belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹

²⁸ ICC-01/05-01/08-1723-Conf-Exp-Anx190; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 84 to 85.

²⁹ ICC-01/05-01/08-1723-Conf-Exp-Anx190, pages 4 to 5.

³⁰ ICC-01/05-01/08-1723-Conf-Exp-Anx191; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 86 to 87.

³¹ ICC-01/05-01/08-1723-Conf-Exp-Anx191, pages 4 to 5.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 5 February 2003.

Applicant [REDACTED]²

Claim to victim status

The applicant alleges that on 5 February 2003, when Jean-Pierre Bemba's Banyamulengués arrived in [REDACTED] he fled from his house, located in the [REDACTED] area, and took refuge in the fields. He claims that during his absence, Mr Bemba's men took all his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³³

Analysis and conclusions

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

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

³² ICC-01/05-01/08-1723-Conf-Exp-Anx192; ICC-01/05-01/08-1725-Conf-Exp-Anx3, pages 88 to 89.

³³ ICC-01/05-01/08-1723-Conf-Exp-Anx192, pages 4 to 5, 9 to 10.

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 5 February 2003.

o Thirteenth transmission - ICC-01/05-01/08-1806-Conf-Exp-Anxs

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 23 February 2003, when the militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields, together with her family. The applicant states that the Banyamulengués occupied her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵

Analysis and conclusions

The Chamber considers that the 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 23 February 2003.

³⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx3; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 194 to 195.

³⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx3, pages 4 to 5 and 9.

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba 's militiamen occupied [REDACTED] firing their heavy weapons, he fled to the fields together with his family. The applicant states that the Banyamulengués occupied his village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month. According to the applicant, they raped his daughter and wooed his second wife, which led to their separation. The applicant states that they also pillaged his property before burning the attic and killed and ate part of his livestock. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁷

Analysis and conclusions

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

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

³⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx4; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 196 to 197.

³⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx4, pages 4 to 5 and 9.

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, he fled to the fields. The applicant states that the Banyamulengués set up their base in his village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and occupied his house. According to the applicant, they pillaged his belongings, used his house as a restaurant and his well as a garbage bin. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁹

Analysis and conclusions

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

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

Applicant [REDACTED]⁰

Claim to victim status

³⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx5; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 198 to 199.

³⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx5, pages 4 to 5.

⁴⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx6; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 200 to 201.

The applicant states that in February 2003, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED], for more than one month and occupied her house. According to the applicant, they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴¹

Analysis and conclusions

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

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

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, he fled to the fields together with his family. The applicant states that the Banyamulengués set up their base in his village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged his belongings. The applicant lists his loss. As

⁴¹ ICC-01/05-01/08-1806-Conf-Exp-Anx6, pages 4 to 5.

⁴² ICC-01/05-01/08-1806-Conf-Exp-Anx7; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 202 to 203.

a result of the alleged events, the applicant claims to have suffered material harm.⁴³

Analysis and conclusions

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

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

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba 's militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁵

Analysis and conclusions

⁴³ ICC-01/05-01/08-1806-Conf-Exp-Anx7, pages 4 to 5.

⁴⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx8; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 204 to 205.

⁴⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx8, 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that between 15 and 17 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁷

Analysis and conclusions

The Chamber considers that the 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

⁴⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx9; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 206 to 207.

⁴⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx9, pages 4 to 5.

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that in February, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her children. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁹

Analysis and conclusions

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

The Chamber notes that the applicant fails to provide a precise date for the alleged events and merely states that the alleged events occurred in February. However, in light of the intrinsic coherence of the application in all other respects and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in February 2003, the Chamber infers from the application that the alleged events occurred in February 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,

⁴⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx10; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 208 to 209.

⁴⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx10, pages 4 to 5.

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

Applicant [REDACTED]⁰

Claim to victim status

The applicant states on 27 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED], for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵¹

Analysis and conclusions

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

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

Applicant [REDACTED]²

Claim to victim status

⁵⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx11; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 210 to 211.

⁵¹ ICC-01/05-01/08-1806-Conf-Exp-Anx11, pages 4 to 5 and 9.

⁵² ICC-01/05-01/08-1806-Conf-Exp-Anx12; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 212 to 213.

The applicant states that on 23 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, he fled from his village, [REDACTED] to the fields together with his family. The applicant states that the Banyamulengués set up their base in his village for more than one month and pillaged his belongings and his money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 23 February 2003.

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 12 December 2002, on his way back from the fields, he met Jean-Pierre Bemba's Banyamulengués who invaded his village, [REDACTED] located [REDACTED] kilometres away from [REDACTED]. The applicant adds that one group established their base in [REDACTED] whilst another group occupied [REDACTED]. The applicant states that the militiamen took his money from his pocket, beat him and that he subsequently suffered a shoulder blade injury. The applicant states

⁵³ ICC-01/05-01/08-1806-Conf-Exp-Anx12, pages 4 to 5 and 9.

⁵⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx13; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 214 to 215.

that they further raped his daughter who died in June 2003 after critical illness. The applicant further alleges that the men pillaged some of his belongings and ate four of his goats. 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. However, in the absence of any document demonstrating the 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 [REDACTED] on 12 December 2002.

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in the village of [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings and set her granary on fire. She states that they raped her eleven-year old daughter who was infected and

⁵⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx13, pages 4 to 5 and 9.

⁵⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx14; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 216 to 217.

died one year after the events because she did not have the money to pay for the required medical treatment. The applicant lists 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. However, in the absence of any document demonstrating the identity of her daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that in February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED], for more than one month and pillaged her belongings and her money. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹

⁵⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx14, pages 4 to 5 and 9.

⁵⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx15; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 218 to 219.

⁵⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx15, pages 4 to 5 and 9.

Analysis and conclusions

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

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

Applicant [REDACTED]⁰

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, she returned from the market, and fled to the fields, together with her family. The applicant states that the Banyamulengués set up their base in [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. She lists her 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 she is a victim under Rule 85(a) on the basis

⁶⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx16; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 220 to 221.

⁶¹ ICC-01/05-01/08-1806-Conf-Exp-Anx16, pages 4 to 5.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 15 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, she fled to the fields together with her family. The applicant states that the Banyamulengués set up their base in her village, [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and pillaged her belongings. She lists her 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 15 February 2003.

Applicant [REDACTED]⁴

⁶² ICC-01/05-01/08-1806-Conf-Exp-Anx17; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 222 to 223.

⁶³ ICC-01/05-01/08-1806-Conf-Exp-Anx17, pages 4 to 5.

⁶⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx18; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 224 to 225.

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, he fled from his village, [REDACTED] and took refuge in the fields together with his family. The applicant states that the Banyamulengués set up their base in [REDACTED] for more than one month and pillaged his belongings. He lists 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.

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba militiamen occupied [REDACTED] firing their heavy weapons, he and his family took some of their belongings and fled to the fields. He further states that when he returned to his house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] together with his wife and older sister in order to collect the rest of

⁶⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx18, pages 4 to 5.

⁶⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx19; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 226 to 227.

their property, the Banyamulengués attacked the village, broke into his house and found them inside. According to the applicant, they took his sister who only returned four hours later. He further states that he does not know what the Banyamulengués did to his sister but alleges that after the events she fell ill and died. The applicant claims that the Banyamulengués set up their base in the [REDACTED] village for more than one month and pillaged his belongings. He lists 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. However, in the absence of any document establishing the identity of and kinship with his sister, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 23 February 2003, when Jean-Pierre Bemba 's militiamen occupied [REDACTED] firing their heavy weapons, he fled from his village,

⁶⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx19, pages 4 to 5.

⁶⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx20; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 228 to 229.

██████ located ██████ kilometres away from ██████ and took refuge in the fields together with his family. The applicant states that the Banyamulengués set up their base in the ██████ village for more than one month and pillaged his belongings. He lists his 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 considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date as of 23 February 2003.

Applicant ██████⁰

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's militiamen occupied ██████ firing their heavy weapons, he fled to the fields together with his family. The applicant states that the Banyamulengués set up their base in the village of ██████ for more than one month and pillaged his belongings and livestock. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷¹

⁶⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx20, pages 4 to 5.

⁷⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx21; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 230 to 231.

⁷¹ ICC-01/05-01/08-1806-Conf-Exp-Anx21, pages 4 to 5.

Analysis and conclusions

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

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

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] firing their heavy weapons, he fled to the fields together with his family. The applicant states that the Banyamulengués set up their base in the village of [REDACTED] for more than one month and pillaged his belongings and livestock and ate his goats. He lists his loss. As a result of the alleged events, the applicant claims to have suffered 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the

⁷² ICC-01/05-01/08-1806-Conf-Exp-Anx22; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 232 to 233.

⁷³ ICC-01/05-01/08-1806-Conf-Exp-Anx22, pages 4 to 5.

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

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 14 February 2003, in [REDACTED] Jean-Pierre Bemba's militiamen came to the hut where he was selling goods, and pillaged his money and some of his belongings. He adds that the troops set up their base in the village for one week. He lists his 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 February 2003.

Applicant [REDACTED]⁶

Claim to victim status

⁷⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx23; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 234 to 235.

⁷⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx23, pages 4 to 5.

⁷⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx120; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 236 to 237.

The applicant states that in February 2003, when the Banyamulengués attacked [REDACTED] she was living there together with her father and her three-week old baby. According to the applicant, her father told her to flee to the bush, but she was intercepted by a group of soldiers who took her to their base, where they took her child and threw it on the ground. She also states that a group of soldiers raped her one after the other. She states that she was set free due to the intervention of their chief who gave her the baby back but she adds that the child died soon after due to the ill treatment that had been inflicted on him. The applicant states that the belongings she had left behind in her house were pillaged, and that her father was killed by a shell that fell on their house. As a result of the alleged events, the applicant claims to have suffered physical, psychological 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 the applicant's child and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

⁷⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx120, pages 4 to 5.

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that in February 2003, when Jean-Pierre Bemba's Banyamulengués arrived in [REDACTED] shooting their weapons, he fled from his house, located in the [REDACTED] area, together with his family and sought refuge in the fields. He states that the soldiers set up their base in front of his house for three weeks, broke inside and pillaged his belongings and his money. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁹

Analysis and conclusions

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

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

Applicant [REDACTED]⁰

Claim to victim status

⁷⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx156; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 238 to 239.

⁷⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx156, pages 4 to 5 and 8.

⁸⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx157; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 240 to 241.

The applicant states that in February 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] shooting their weapons, he fled to the fields together with his family. According to the applicant, the soldiers set up their base in [REDACTED] for more than a month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]²

Claim to victim status

The applicant states that in February 2003, when the soldiers occupied [REDACTED] he went to [REDACTED]. According to the applicant, he had a warehouse in front of his house, where he stocked all his merchandise. He states that he was informed by a neighbour that the militiamen were invading [REDACTED] and that all the residents were fleeing. He states that he had to abandon everything and to flee to the bush. He also states that the next day, the Banyamulengués occupied the town whilst

⁸¹ ICC-01/05-01/08-1806-Conf-Exp-Anx157, pages 4 to 5 and 8.

⁸² ICC-01/05-01/08-1806-Conf-Exp-Anx158; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 242 to 243.

he was still in the bush. The applicant states that the soldiers pillaged his belongings and burnt some family documents. The applicant adds that the soldiers set one base next to the town hall in [REDACTED] and one in [REDACTED] for a period of 22 days. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸³

Analysis and conclusions

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

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

Applicant [REDACTED]⁴

Claim to victim status

The applicant states that on 27 February 2003, when Jean-Pierre Bemba's militiamen arrived in [REDACTED] shooting heavy weapons, he fled from his house, located in [REDACTED] together with his family and sought refuge in the fields. He states that the soldiers set up their base in [REDACTED] for more than a month, pillaged his belongings and ate some of his cattle. He states that they used his bed as

⁸³ ICC-01/05-01/08-1806-Conf-Exp-Anx158, pages 4 to 5 and 8.

⁸⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx159; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 244 to 245.

firewood. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁵

Analysis and conclusions

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

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that in February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] shooting their weapons, she fled from her house, located in [REDACTED] together with her family and took refuge in the fields. She claims that the soldiers set their base in [REDACTED] for more than one month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁷

Analysis and conclusions

The applicant submits a *déclaration de reconnaissance*, signed and stamped by the *Chef de quartier* as proof of identity. Considering that this document has similar

⁸⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx159, pages 4 to 5 and 8.

⁸⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx160; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 246 to 247.

⁸⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx160, pages 4 to 5.

features as the documents previously accepted by the Chamber, notably *attestations d'état civil* signed and stamped by the *Chef de quartier*, the Chamber is 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 February 2003.

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that in February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] she was seven months pregnant and when she heard gun shots she took her children and fled from her house, located in [REDACTED]. She claims that the soldiers set their base in [REDACTED] for a period of two weeks, pillaged her belongings and ate her five goats. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁹

Analysis and conclusions

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

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

⁸⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx161; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 248 to 249.

⁸⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx161, pages 4 to 5 and 8.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of February 2003.

Applicant [REDACTED]⁰

Claim to victim status

The applicant states that on 27 February 2003 when Jean-Pierre Bemba's militiamen occupied [REDACTED] she was selling her merchandise at the market and when she heard the heavy gun shots she went back to her house, located in [REDACTED] in order to find her children and they then fled together to the fields. She claims that the soldiers set up their base in the village for more than a month and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹¹

Analysis and conclusions

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

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

⁹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx162; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 250 to 251.

⁹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx162, pages 4 to 5 and 8.

Applicant [REDACTED]²

Claim to victim status

The applicant states that in February 2003, when Jean-Pierre Bemba's militiamen occupied [REDACTED] he was in the fields and he was informed about the events that were taking place in [REDACTED]. According to the applicant, he decided to go back home, in [REDACTED] to see what was going on, but he did not manage to do so and he stayed in the fields. He claims that the soldiers set up their base in the village for more than one month and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹³

Analysis and conclusions

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

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

Applicant [REDACTED]⁴

Claim to victim status

⁹² ICC-01/05-01/08-1806-Conf-Exp-Anx163; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 252 to 253.

⁹³ ICC-01/05-01/08-1806-Conf-Exp-Anx163, pages 4 to 5.

⁹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx164; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 254 to 255.

The applicant states that in February 2003, when Jean-Pierre Bemba's militiamen arrived in [REDACTED] shooting their weapons, he fled from his house, located in [REDACTED] together with his family and took refuge in the fields. He states that the soldiers set up their base in [REDACTED] for more than one month and pillaged his belongings and killed his goats. The applicant adds that the men chased him to the fields and looted a sum of money he had on him. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁵

Analysis and conclusions

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

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that in February 2003, after receiving information on militiamen coming to [REDACTED] she fled to the fields together with her children. The applicant states that she stayed at her older sister's house, located near the [REDACTED] area. She states that her four children and her husband returned to the house, located in [REDACTED] [REDACTED] looking for provisions, and they were captured

⁹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx164, pages 4 to 5 and 8.

⁹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx165; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 256 to 257.

by Jean-Pierre Bemba's Banyamulengués. She states that her children managed to escape, and that during her husband's captivity she brought him food. The applicant states that Mr Bemba's men occupied her village for a period of nine days and pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁷

Analysis and conclusions

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

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] shooting in the air, he fled to the fields together with his children. He further states that the Banyamulengués established their base in the [REDACTED] village, located [REDACTED] kilometres away from [REDACTED] for more than one month. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁹

⁹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx165, pages 4 to 5 and 8.

⁹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx166; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 258 to 259.

⁹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx166, 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 the [REDACTED] area of [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]⁰⁰

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués, she fled to the fields, together with her family. She further states that the Banyamulengués established their base in the [REDACTED] village, located [REDACTED] kilometres away from [REDACTED] for more than one month and they pillaged her belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰¹

Analysis and conclusions

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

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

¹⁰⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx167; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 260 to 261.

¹⁰¹ ICC-01/05-01/08-1806-Conf-Exp-Anx167, pages 4 to 5.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of February 2003.

Applicant [REDACTED]¹⁰²

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués, she fled to the fields together with her children. She further states that the Banyamulengués pillaged her house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] and established their base in the [REDACTED] market for more than three months. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰³

Analysis and conclusions

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

¹⁰² ICC-01/05-01/08-1806-Conf-Exp-Anx168; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 262 to 263.

¹⁰³ ICC-01/05-01/08-1806-Conf-Exp-Anx168, pages 4 to 5.

Applicant [REDACTED]⁰⁴

Claim to victim status

The applicant states that on 27 February 2003, when she saw people running in all directions saying that militiamen had occupied [REDACTED] she went to her house, located in the [REDACTED] area, [REDACTED] kilometres away from [REDACTED] on the road to [REDACTED] took her children and they fled together. She states that the Banyamulengués established their base in her house for more than one month and pillaged her belongings. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁵

Analysis and conclusions

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

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

Applicant [REDACTED]⁰⁶

Claim to victim status

The applicant states that in 2003, upon the occupation of [REDACTED] by the Banyamulengués, when he saw people running in all directions and heard heavy

¹⁰⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx169; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 264 to 265.

¹⁰⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx169, pages 4 to 5.

¹⁰⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx170; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 266 to 267.

shootings, he fled together with his wife, seeking refuge at his parents' house. He further states that the Banyamulengués pillaged his business, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] and established their base in the village for more than one month. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁷

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (2003) is broad, and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, notably the identification of the alleged perpetrators as Banyamulengués, and given that a number of applicants refer to the invasion of [REDACTED] by the Banyamulengués in February 2003, the Chamber is of the view that the alleged events fall within the temporal scope of the present case and that the failure to provide a precise date shall not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date in February 2003.

Applicant [REDACTED]⁰⁸

¹⁰⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx170, pages 4 to 5 and 8.

¹⁰⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx171; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 268 to 269.

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués and afraid of heavy weapons shootings, he fled to the fields together with his family. He states that the Banyamulengués pillaged his house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] and established their base in the village for more than one month. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁹

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁰

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués and afraid of heavy weapons shootings, he fled from his house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED]. He further states that the Banyamulengués pillaged his belongings and ate his chicken. The

¹⁰⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx171, pages 4 to 5.

¹¹⁰ ICC-01/05-01/08-1806-Conf-Exp-Anx172; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 270 to 271.

applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹¹

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 in February 2003.

Applicant [REDACTED]¹²

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués and afraid of heavy weapons shootings, he fled from his house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] to the fields, together with his family. The applicant states that, while fleeing the area, he was intercepted by the Banyamulengués who searched him and pillaged his money. He further states that they asked him for more money but since he did not have the amount they asked for, they threatened him of taking him to Zaire to kill him.

¹¹¹ ICC-01/05-01/08-1806-Conf-Exp-Anx172, pages 4 to 5.

¹¹² ICC-01/05-01/08-1806-Conf-Exp-Anx173; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 272 to 273.

According to the applicant, the Banyamulengués asked him to take them to see his brother, for him to give them the amount of money requested. The applicant states that the latter gave them part of the money. The applicant further states that his pregnant wife was also intercepted in the [REDACTED] area by the Banyamulengués who raped her and as a result she lost her baby. The applicant states that he was then transferred to [REDACTED] to see Colonel [REDACTED] and the latter ordered his release and put him under the custody of a Colonel from the FACA who brought him back to [REDACTED]. According to the applicant, the Banyamulengués established their base in the [REDACTED] village for more than one month. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹³

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 the applicant's wife 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 an unspecified date as of February 2003.

Applicant [REDACTED]¹⁴

¹¹³ ICC-01/05-01/08-1806-Conf-Exp-Anx173, pages 4 to 5, 8 and 11 to 12.

¹¹⁴ ICC-01/05-01/08-1806-Conf-Exp-Anx174; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 274 to 275.

Claim to victim status

The applicant states that on 3 February 2003, upon the occupation of [REDACTED] by the Banyamulengués, he fled to the fields. He states that once in the fields, he received some information that the Banyamulengués had invaded [REDACTED]. He further states that the militiamen told the people who had fled their houses to return, and when he did so, he found that his house, located in the [REDACTED] village, [REDACTED] kilometres away from [REDACTED] had been looted. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁵

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁶

Claim to victim status

The applicant states that in February 2003, upon the occupation of [REDACTED] by the Banyamulengués and afraid of heavy weapons shootings, he fled to the fields together with his family. He states that the Banyamulengués occupied the village

¹¹⁵ ICC-01/05-01/08-1806-Conf-Exp-Anx174, pages 4 to 5.

¹¹⁶ ICC-01/05-01/08-1806-Conf-Exp-Anx175; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 276 to 277.

of [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than one month and they pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁷

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁸

Claim to victim status

The applicant states that on 27 February 2003, upon the occupation of [REDACTED] by the Banyamulengués and afraid of heavy weapons shootings, he fled to the fields

¹¹⁷ ICC-01/05-01/08-1806-Conf-Exp-Anx175, pages 4 to 5.

¹¹⁸ ICC-01/05-01/08-1806-Conf-Exp-Anx176; ICC-01/05-01/08-1808-Conf-Exp-Anx3, pages 278 to 279.

ten kilometres away from his house. He states that the Banyamulengués established their headquarters in the village of [REDACTED] located [REDACTED] kilometres away from [REDACTED] for more than twenty days, ate his young goats and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁹

Analysis and conclusions

The Chamber considers that the 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 a unspecified date as of 27 February 2003.

¹¹⁹ ICC-01/05-01/08-1806-Conf-Exp-Anx176, pages 4 to 5.