

# **ANNEX D**

### **Group D: Mongoumba**

#### **o Twenty-first transmission - ICC-01/05-01/08-2073-Conf-Exp-Anxs**

**Applicant** [REDACTED]

#### **Claim to victim status**

The applicant alleges that on 7 March 2003, when the Banyamulengués invaded [REDACTED] he fled to the forest together with his family where they faced difficult living conditions. He further states that upon his return, he found that his belongings and money had been pillaged and he lists his loss. He also claims that a young child died. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>2</sup>

#### **Analysis and conclusion**

The Chamber considers that the 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 7 March 2003.

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<sup>1</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx7; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 552 to 553.

<sup>2</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx7, pages 4 to 5.

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

The applicant submits that between 5 and 7 March 2003, she was in the fields drying manioc when the Banyamulengués arrived. She states that as she saw the population fleeing, she fled to the bush. She further alleges that upon her return some days later, she discovered that all her belongings had been taken from her house, located in the [REDACTED] area of [REDACTED]. 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.<sup>4</sup>

**Analysis and conclusion**

The Chamber considers that the 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 5 March 2003.

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

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<sup>3</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx13; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 554 to 555.

<sup>4</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx13, pages 4 to 5 and 10 to 11.

<sup>5</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx74; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 556 to 557.

The applicant claims that on 6 March 2003, on his way back to Bangui from [REDACTED] DRC, where he had bought merchandise at the market, the boat he was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. He alleges that Jean-Pierre Bemba's men pillaged his merchandise and money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>6</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>7</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

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<sup>6</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx74, pages 4 to 5.

<sup>7</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>8</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx75; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 558 to 559.

The applicant claims that on 6 March 2003, on his way back to Bangui from [REDACTED] DRC, where he had bought merchandise at the market, the boat he was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. He alleges that Jean-Pierre Bemba's men pillaged his merchandise and money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>9</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>10</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

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<sup>9</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx75, pages 4 to 5.

<sup>10</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>11</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx76; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 560 to 561.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>12</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>13</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

### **Applicant [REDACTED]<sup>4</sup>**

### **Claim to victim status**

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<sup>12</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx76, pages 4 to 5.

<sup>13</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>14</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx77; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 562 to 563.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>15</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>16</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

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<sup>15</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx77, pages 4 to 5.

<sup>16</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>17</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx78; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 564 to 565.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>18</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>19</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>0</sup>

### **Claim to victim status**

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<sup>18</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx78, pages 4 to 5.

<sup>19</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>20</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx79; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 566 to 567.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought and sold merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>21</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>22</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

### **Applicant** [REDACTED]<sup>3</sup>

### **Claim to victim status**

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<sup>21</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx79, pages 4 to 5.

<sup>22</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>23</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx80; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 568 to 569.

The applicant claims that on 6 March 2003, on his way back to Bangui from [REDACTED] DRC, where he had bought and sold merchandise at the market, the boat he was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. He alleges that the Banyamulengués pillaged his merchandise and money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>24</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>25</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

### **Applicant [REDACTED]<sup>6</sup>**

### **Claim to victim status**

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<sup>24</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx80, pages 4 to 5.

<sup>25</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>26</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx81; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 570 to 571.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought and sold merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>27</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>28</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

### **Applicant [REDACTED]**

### **Claim to victim status**

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<sup>27</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx81, pages 4 to 5.

<sup>28</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>29</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx82; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 572 to 573.

The applicant claims that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought and sold merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>30</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>31</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 6 March 2003.

### **Applicant** [REDACTED]

### **Claim to victim status**

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<sup>30</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx82, pages 4 to 5.

<sup>31</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>32</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx83; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 574 to 575.

The applicant claims that on 6 March 2003, on his way back to Bangui from [REDACTED] DRC, where he had bought and sold merchandise at the market, the boat he was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. He alleges that the Banyamulengués pillaged his merchandise and money. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>33</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>34</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

### **Applicant [REDACTED]<sup>5</sup>**

### **Claim to victim status**

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<sup>33</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx83, pages 4 to 5.

<sup>34</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>35</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx166; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 576 to 577.

The applicant alleges that on 5 March 2003, the Banyamulengués came to his house, located in [REDACTED] and pillaged his belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>36</sup>

### **Analysis and conclusion**

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. However, the Chamber is of the view that this discrepancy might be the result of inadvertent error and the identity of the applicant is sufficiently established.

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

### **Applicant** [REDACTED]<sup>37</sup>

#### **Claim to victim status**

The applicant claims that on 5 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her

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<sup>36</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx166, pages 4 to 5.

<sup>37</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx167; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 578 to 579.

merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>38</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>39</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant claims that on 5 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her

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<sup>38</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx167, pages 4 to 5.

<sup>39</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>40</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx170; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 580 to 581.

merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>41</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>42</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]<sup>3</sup>

#### **Claim to victim status**

The applicant claims that on 5 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought and sold merchandise, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her

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<sup>41</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx170, pages 4 to 5.

<sup>42</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>43</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx172; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 582 to 583.

merchandise. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>44</sup>

### **Analysis and conclusion**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>45</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the area of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]<sup>6</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, on her way back from [REDACTED] where she had bought and sold merchandise, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her merchandise and money. The

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<sup>44</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx172, pages 4 to 5.

<sup>45</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>46</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx177; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 584 to 585.

applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>47</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>48</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]<sup>9</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, she was travelling on a boat between Bangui and [REDACTED] in order to buy merchandise. She alleges that during a trip, upon arrival in the port of [REDACTED] the armed Banyamulengués caused disorder in [REDACTED] and pillaged her belongings and her merchandise. She

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<sup>47</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx177, pages 4 to 5.

<sup>48</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>49</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx178; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 586 to 587.

lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>50</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>51</sup> Given that the applicant clearly states that the alleged criminal acts started at the port of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]<sup>2</sup>

#### **Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought and sold merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her

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<sup>50</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx178, pages 4 to 5.

<sup>51</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>52</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx277; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 588 to 589.

merchandise and money. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>53</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>54</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

### **Applicant** [REDACTED]<sup>5</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. The applicant alleges that upon her return she found that her belongings, livestock and money had been pillaged by the rebels. The applicant lists her loss.

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<sup>53</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx277, pages 4 to 5.

<sup>54</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>55</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx283; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 590 to 591.

As a result of the alleged events, the applicant claims to have suffered material harm.<sup>56</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>7</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. She alleges that upon her return she found that her belongings, livestock and money had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>58</sup>

### **Analysis and conclusions**

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

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<sup>56</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx283, pages 4 to 5.

<sup>57</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx284; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 592 to 593.

<sup>58</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx284, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

### **Applicant** [REDACTED]

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. The applicant alleges that upon her return she found that her belongings, livestock and money had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>60</sup>

#### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

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<sup>59</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx285; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 594 to 595.

<sup>60</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx285, pages 4 to 5.

**Applicant** [REDACTED]<sup>1</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. She alleges that upon her return she found that her belongings, livestock and money had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>62</sup>

**Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>3</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled together with her family to the forest, where they faced harsh living conditions. According to the applicant, upon her return, she found that her belongings and money had been

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<sup>61</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx286; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 596 to 597.

<sup>62</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx286, pages 4 to 5.

<sup>63</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx287; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 598 to 599.

pillaged by the rebels. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>64</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant [REDACTED]<sup>5</sup>**

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled together with his family to the bush, where they faced harsh living conditions. According to the applicant, upon his return, he found that his belongings and livestock had been pillaged by the rebels, who thereafter proceeded to burn his house. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>66</sup>

### **Analysis and conclusions**

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<sup>64</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx287, pages 4 to 5.

<sup>65</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx288; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 600 to 601.

<sup>66</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx288, pages 4 to 5.

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

The Chamber notes that the applicant indicates that his 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.<sup>67</sup> In the present case, the applicant clearly states that his belongings and livestock were pillaged by the Banyamulengués before they proceeded to burn his house. The Chamber considers 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 7 March 2003.

#### **Applicant** [REDACTED]<sup>8</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués entered [REDACTED] firing their weapons, she fled to the bush, leaving everything behind. According to the applicant, upon her return, she found that her belongings had been pillaged by the rebels. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>69</sup>

#### **Analysis and conclusions**

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<sup>67</sup> ICC-01/05-01/08-1017, paragraph 56.

<sup>68</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx289; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 602 to 603.

<sup>69</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx289, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

**Applicant** [REDACTED]<sup>0</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] she fled together with her family to the forest, where they faced harsh living conditions. According to the applicant, upon her return, she found that her belongings and money had been pillaged by the rebels. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>71</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>70</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx290; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 604 to 605.

<sup>71</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx290, 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 7 March 2003.

Applicant [REDACTED]<sup>2</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] she fled together with her family to the forest, where they faced harsh living conditions. According to the applicant, upon her return, she found that her belongings and money had been taken by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>73</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>4</sup>

### **Claim to victim status**

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<sup>72</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx291; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 606 to 607.

<sup>73</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx291, pages 4 to 5.

<sup>74</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx292; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 608 to 609.

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] she fled together with her family to the forest. According to the applicant, upon her return, she found that her belongings, livestock, and money had been taken by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>75</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant [REDACTED]<sup>6</sup>**

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled together with his family to the forest, where they faced harsh living conditions. According to the applicant, upon his return, he found that his belongings and money had been taken by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>77</sup>

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<sup>75</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx292, pages 4 to 5.

<sup>76</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx293; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 610 to 611.

<sup>77</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx293, 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 7 March 2003.

### **Applicant [REDACTED]<sup>8</sup>**

#### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] she fled together with her family to the forest. According to the applicant, upon her return, she found that her belongings and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>79</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>78</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx294; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 612 to 613.

<sup>79</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx294, 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 7 March 2003.

Applicant [REDACTED]<sup>0</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the forest. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>81</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>2</sup>

### **Claim to victim status**

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<sup>80</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx295; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 614 to 615.

<sup>81</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx295, pages 4 to 5.

<sup>82</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx296; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 616 to 617.

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the forest. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>83</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant [REDACTED]<sup>4</sup>**

#### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués invaded [REDACTED] she fled together with her family, to take refuge in the forest, where she faced difficult living conditions. She further states that upon her return, she found that her belongings and money had been pillaged and she lists her loss. As

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<sup>83</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx296, pages 4 to 5.

<sup>84</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx297; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 618 to 619.

a result of the alleged events, the applicant claims to have suffered material harm.<sup>85</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>6</sup>

#### **Claim to victim status**

The applicant states that in March 2003, the Banyamulengués came to [REDACTED] and he consequently fled to the bush, leaving everything behind. He further states that upon his return, he found that his belongings had been pillaged and his house destroyed. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>87</sup>

### **Analysis and conclusions**

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

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<sup>85</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx297, pages 4 to 5.

<sup>86</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx298; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 620 to 621.

<sup>87</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx298, pages 4 to 5.

The Chamber notes that the date provided by the applicant (March 2003) is broad and as such could fall outside the temporal scope of the case. However, in light of the intrinsic coherence of the application as a whole, notably the reference to the occupation of [REDACTED] by the Banyamulengués as well as the fact that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués in early March 2003, the Chamber is of the view that the failure to provide a precise date shall not serve to exclude the applicant. Therefore, the Chamber considers 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 1 and 15 March 2003.

**Applicant** [REDACTED]<sup>8</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] she fled with her family, to take refuge in the forest, where she faced difficult living conditions. She further states that upon her return, she found that her belongings and money had been pillaged and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>89</sup>

### **Analysis and conclusions**

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<sup>88</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx299; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 622 to 623.

<sup>89</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx299, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

**Applicant** [REDACTED]<sup>90</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués occupied [REDACTED] he fled together with his family, to take refuge in the forest, where he faced difficult living conditions. He further states that upon his return, he found that his belongings had been pillaged and his house destroyed. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>91</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>90</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx300; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 624 to 625.

<sup>91</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx300, 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 7 March 2003.

**Applicant** [REDACTED]<sup>92</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués invaded [REDACTED] she fled together with her family to take refuge in the forest, where she faced difficult living conditions. She further states that upon her return, she found that her belongings and money had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>93</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>94</sup>

### **Claim to victim status**

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<sup>92</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx301; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 626 to 627.

<sup>93</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx301, pages 4 to 5.

<sup>94</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx302; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 628 to 629.

The applicant states that on 7 March 2003, when the Banyamulengués attacked and occupied [REDACTED] he fled together with his family, to take refuge in the forest, where he faced difficult living conditions. He further states that upon his return, he found that his belongings, money and livestock had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>95</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant [REDACTED]<sup>6</sup>**

#### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués invaded [REDACTED] he fled to take refuge in the bush. He states that upon his return, more than one month later, he found that her belongings, livestock and money had been pillaged and the door to his house had been broken. He adds that one of his

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<sup>95</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx302, pages 4 to 5.

<sup>96</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx303; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 630 to 631.

children died when they were in the bush. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>97</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>8</sup>-

### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués came to [REDACTED] she fled together with her children, to take refuge in the forest, where she faced difficult living conditions. She further states that upon her return, she found that her belongings and money had been pillaged and her house was destroyed. She adds that her grandson died when they were in the forest and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>99</sup>

### **Analysis and conclusions**

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<sup>97</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx303, pages 4 to 5.

<sup>98</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx304; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 632 to 633.

<sup>99</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx304, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>00</sup>—

### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués occupied [REDACTED] she fled to take refuge in the forest, where she faced difficult living conditions. She further states that upon her return, she found that her belongings and money had been pillaged and her house was destroyed. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>101</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>100</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx305; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 634 to 635.

<sup>101</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx305, 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 7 March 2003.

Applicant [REDACTED]<sup>02</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, she was in a camp in the fields when her children came to tell her that the Banyamulengués had arrived. The applicant alleges that as a result they had to run deep into the forest and upon their return to their house, located in the [REDACTED] area of [REDACTED], she discovered that her belongings had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>103</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>04</sup>

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<sup>102</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx306; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 636 to 637.

<sup>103</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx306, pages 4 to 5.

<sup>104</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx307; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 638 to 639.

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his grandchildren to the their plantation and then to the forest, where they stayed for a period of one month and two weeks, facing harsh living conditions. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>105</sup>

**Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>06</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the forest, where they stayed for a period of one month, facing harsh living conditions. According to the applicant, upon his return he found that his house was broken

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<sup>105</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx307, pages 4 to 5.

<sup>106</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx308; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 640 to 641.

and that his belongings and money had been pillaged by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>107</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>08</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] she fled together with her family to the forest. According to the applicant, upon her return, she found that her belongings, livestock and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>109</sup>

### **Analysis and conclusions**

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<sup>107</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx308, pages 4 to 5.

<sup>108</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx309; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 642 to 643.

<sup>109</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx309, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>10</sup>—

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] she fled together with her family to the forest, where they facing harsh living conditions. According to the applicant, upon her return, she found that her belongings, livestock and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>111</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>110</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx310; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 644 to 645.

<sup>111</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx310, 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 7 March 2003.

Applicant [REDACTED]<sup>12</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] she fled together with her family to the forest, facing harsh living conditions. According to the applicant, upon her return, she found that her belongings, agricultural products and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>113</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>14</sup>

### **Claim to victim status**

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<sup>112</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx311; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 646 to 647.

<sup>113</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx311, pages 4 to 5.

<sup>114</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx312; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 648 to 649.

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the fields, facing harsh living conditions. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>115</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of two months between the date of birth as appearing in the application form and on the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that 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 7 March 2003.

**Applicant** [REDACTED]<sup>16</sup>

### **Claim to victim status**

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<sup>115</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx312, pages 4 to 5.

<sup>116</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx313; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 650 to 651.

The applicant states that on 7 March 2011, the Banyamulengués came to [REDACTED] where he was selling merchandise with his brother. He alleges that as a result they fled to the forest and upon their return, one month later, they discovered that their house had been pillaged. He further claims that his brother has since died. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>117</sup>

### **Analysis and conclusions**

The Chamber considers that the 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, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

### **Applicant** [REDACTED]<sup>18</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués came to [REDACTED]. She alleges that as a result she and her family fled to the forest and upon her return, she discovered that all her belongings and money had been pillaged. The

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<sup>117</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx313, pages 4 to 5.

<sup>118</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx314; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 652 to 653.

applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>119</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>20</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués attacked and occupied [REDACTED]. She alleges that as a result she and her family fled to the forest and upon her return, she discovered that all her belongings and money had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>121</sup>

### **Analysis and conclusions**

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

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<sup>119</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx314, pages 4 to 5.

<sup>120</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx315; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 654 to 655.

<sup>121</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx315, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

**Applicant** [REDACTED]<sup>22</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués attacked and occupied [REDACTED]. She alleges that as a result she and her family fled to the forest and upon her return, she discovered that all of her belongings and money had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>123</sup>

**Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

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<sup>122</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx316; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 656 to 657.

<sup>123</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx316, pages 4 to 5.

Applicant [REDACTED]<sup>24</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués occupied [REDACTED]. She alleges that she fled to the forest with her family and upon her return she discovered that all her belongings, livestock and a sum of money had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>125</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>26</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués attacked and occupied [REDACTED]. She alleges that as a result she fled with her family to the forest and upon her return she discovered that her belongings and money had been

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<sup>124</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx317; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 658 to 659.

<sup>125</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx317, pages 4 to 5.

<sup>126</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx318; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 660 to 661.

pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>127</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>28</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués attacked and occupied [REDACTED]. She alleges that as a result she fled with her family to the forest and upon her return, she discovered that her belongings and money had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>129</sup>

### **Analysis and conclusions**

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

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<sup>127</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx318, pages 4 to 5.

<sup>128</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx319; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 662 to 663.

<sup>129</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx319, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>30</sup>

### **Claim to victim status**

The applicant states that in 2003, the Banyamulengués occupied the village of [REDACTED]. He alleges that he fled with his family and upon his return he discovered that his belongings and livestock had been pillaged. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>131</sup>

### **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 could fall outside the temporal scope of the case. However, in light of the intrinsic coherence of the application as a whole, notably the reference to the occupation of [REDACTED] by the Banyamulengués as well as the fact that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués as of February 2003, the Chamber is of the view that a failure to provide a precise date should not serve to exclude the applicant.

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<sup>130</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx320; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 664 to 665.

<sup>131</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx320, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 January 2003 and 15 March 2003.

**Applicant** [REDACTED]<sup>32</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués invaded [REDACTED]. She alleges that as a result, she fled with her family to the forest and upon her return she discovered that her belongings, money, and livestock had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>133</sup>

**Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

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<sup>132</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx321; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 666 to 667.

<sup>133</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx321, pages 4 to 5.

Applicant [REDACTED]<sup>34</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués came to [REDACTED]. He alleges that because of this, he fled with his family to the bush and upon his return, he discovered that his belongings had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>135</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>36</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués attacked and occupied [REDACTED]. She alleges that as a result, she fled with her family to the forest and upon her return she discovered that her belongings and money had been

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<sup>134</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx322; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 668 to 669.

<sup>135</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx322, pages 4 to 5.

<sup>136</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx323; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 670 to 671.

pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>137</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>38</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués occupied [REDACTED]. The applicant alleges that as a result, she fled with her family to the forest and upon her return she discovered that her belongings and money had been pillaged. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>139</sup>

### **Analysis and conclusions**

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

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<sup>137</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx323, pages 4 to 5.

<sup>138</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx324; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 672 to 673.

<sup>139</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx324, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>40</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués came to [REDACTED]. She alleges that as a result, she and her children fled to the bush for one month and two weeks and upon her return, she discovered that all her belongings had been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>141</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

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<sup>140</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx325; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 674 to 675.

<sup>141</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx325, pages 4 to 5.

Applicant [REDACTED]<sup>42</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, after [REDACTED] was attacked on 5 March 2003, soldiers coming from the other side of the Oubangui River invaded the village of [REDACTED]. She alleges that she fled and upon her return, several days later, she found that her belongings had been taken. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>143</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>44</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled with his family to the forest, where they ate wild food and his son died. The applicant alleges that upon his return, he found that his belongings and money had been pillaged by

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<sup>142</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx326; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 676 to 677.

<sup>143</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx326, pages 4 to 5.

<sup>144</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx327; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 678 to 679.

the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>145</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>46</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. She alleges that upon her return, she found that her belongings, livestock and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>147</sup>

### **Analysis and conclusions**

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

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<sup>145</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx327, pages 4 to 5.

<sup>146</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx328; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 680 to 681.

<sup>147</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx328, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>48</sup>—

### **Claim to victim status**

The applicant states that during the events in [REDACTED] she fled with her children to the village of [REDACTED] for a period of six months without taking any of their belongings. She further claims that the Banyamulengués set up their base in her house and that her mother and children were taken away by the men when she went to the Oubangui River. The applicant alleges that upon her return, she found that they pillaged her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>149</sup>

### **Analysis and conclusions**

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

The Chamber notes that applicant does not provide any date for the alleged events. However, in light of the intrinsic coherence of the application as a whole, notably the reference to the occupation of [REDACTED] by the Banyamulengués as well as the fact that a number of applicants refer to the occupation of [REDACTED] by the

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<sup>148</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx329; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 682 to 683.

<sup>149</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx329, pages 4 to 5 and 8.

Banyamulengués as of February 2003, the Chamber is of the view that a 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 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]<sup>50</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] she fled with her family to the forest. The applicant alleges that upon her return, she found that her belongings and money had been pillaged. She adds that she had a knee fracture and is now handicapped. She lists her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.<sup>151</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>150</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx330; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 684 to 685.

<sup>151</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx330, 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 7 March 2003.

Applicant [REDACTED]<sup>52</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled from his house, located in the [REDACTED] area, and sought refuge in the bush twenty kilometers away. The applicant alleges that upon his return, he found that his belongings and money had been pillaged. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>153</sup>

### **Analysis and conclusions**

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

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<sup>152</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx331; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 686 to 687.

<sup>153</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx331, pages 4 to 5.

Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 5 March 2003.

Applicant [REDACTED]<sup>54</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's rebels attacked and occupied [REDACTED] he fled with his family to the forest, where his grandmother, who suffered from high blood pressure, died. The applicant alleges that upon his return, he found that his belongings had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>155</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>56</sup>

### **Claim to victim status**

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<sup>154</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx332; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 688 to 689.

<sup>155</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx332, pages 4 to 5.

<sup>156</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx333; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 690 to 691.

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués came to [REDACTED] she fled with her family to the forest, where her son died due to the poor living conditions. She alleges that upon her return, she found that her belongings and money had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>157</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>58</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled with his family to the forest, where they stayed for a period of one month and two weeks. The applicant alleges that upon his return, he found that his belongings and money

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<sup>157</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx333, pages 4 to 5.

<sup>158</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx334; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 692 to 693.

had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>159</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>60</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, the Banyamulengués came to [REDACTED]. She alleges that as a result, she and her family fled to the bush and upon her return, she discovered that all her belongings had been pillaged. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>161</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of two years between the date of birth as appearing in the application form and on the identity document signed and stamped by the *chef de village* attached thereto. However, given that the

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<sup>159</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx334, pages 4 to 5.

<sup>160</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx335; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 694 to 695.

<sup>161</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx335, pages 4 to 5.

remainder of the information provided in the identity document signed and stamped by the *chef de village* is consistent with the data entered in the application form, the Chamber is of the view that this discrepancy 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 7 March 2003.

**Applicant** [REDACTED]<sup>62</sup>

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the forest. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>163</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>162</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx336; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 696 to 697.

<sup>163</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx336, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

**Applicant** [REDACTED]<sup>64</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués invaded [REDACTED] he fled together with his family to the forest, where they faced harsh living conditions. According to the applicant, upon his return, he found that his belongings and money had been pillaged by the rebels. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>165</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>66</sup>

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<sup>164</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx337; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 698 to 699.

<sup>165</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx337, pages 4 to 5.

<sup>166</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx338; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 700 to 701.

**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués invaded [REDACTED] he fled together with his family to the forest. According to the applicant, upon his return, he found that his belongings and money had been taken by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>167</sup>

**Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

**Applicant** [REDACTED]<sup>68</sup>**Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués invaded [REDACTED] he fled together with his family to the bush. He states that he stayed in the forest for a period of three months. According to the applicant, upon his return, when a message was sent by the new authorities of the country that people could return to their homes, he found that the door to his house had been broken down and his belongings and livestock had been taken

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<sup>167</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx338, pages 4 to 5.

<sup>168</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx339; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 702 to 703.

by the rebels. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>169</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>70</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when the Banyamulengués came to [REDACTED] she fled together with her family to the forest over 25 kilometres away. According to the applicant, upon her return, she found that her belongings, livestock, and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>171</sup>

### **Analysis and conclusions**

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

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<sup>169</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx339, pages 4 to 5.

<sup>170</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx340; ICC-01/05-01/08-2075-Conf-Exp-Anx3, pages 704 to 705.

<sup>171</sup> ICC-01/05-01/08-2073-Conf-Exp-Anx340, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

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Applicant [REDACTED]<sup>72</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, when she was returning from a business trip in [REDACTED] DRC, the boat she was travelling in was intercepted by the Banyamulengués in the territorial waters. She states that her merchandise and her money were pillaged by the rebels. The applicant lists and values her loss. Furthermore, in an additional statement, the applicant states that in March 2003, she left Bangui, where she had bought merchandise, and sold part of the goods in [REDACTED] a village on the Central African side of the river. She adds that she then bought fish from [REDACTED] and on her way back to Bangui, the boat she was travelling in was intercepted by the Banyamulengués, who came from the DRC side of the river, and all her belongings were looted. The applicant states that because the events occurred close to the coast, she was able to swim to [REDACTED] and she managed to walk back to Bangui. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>173</sup>

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<sup>172</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx1; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 469 to 470.

<sup>173</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx1, pages 4 to 5 and 10 to 11.

### **Analysis and conclusions**

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

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 the applicant did not specify that the alleged criminal acts occurred or at least started on CAR territory.<sup>174</sup> The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>175</sup> Given that in the additional statement, it is stated that the alleged events occurred close to the CAR coast and that she was able to swim to reach land and then walked to [REDACTED] 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 vicinity of [REDACTED] on an unspecified date as of 6 March 2003.

**Applicant** [REDACTED]<sup>76</sup>

### **Claim to victim status**

The applicant is the foreman of a group of fishermen in [REDACTED]. He claims in the original application that on 5 March 2003, upon the invasion of [REDACTED] by the Banyamulengués of Jean-Pierre Bemba, all their furniture,

<sup>174</sup> ICC-01/05-01/08-1590-Conf-Exp-AnxD, pages 15 to 16.

<sup>175</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>176</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx20; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 471 to 472.

equipments, frozen food and money were pillaged by the Congolese assailants. The applicant lists and values his loss. In an additional statement, the applicant states that around 4 or 5 March 2003, upon the invasion of [REDACTED] by the Banyamulengués of Jean-Pierre Bemba, all their furniture, equipments, frozen food, fish and money were pillaged by the Banyamulengués whilst he was resting with other fishermen in the vicinity of [REDACTED]. He clarifies that the fish and belongings that were pillaged all belonged to him. He states that the Banyamulengués tried to rape his daughter and that as he was trying to prevent the rape, one of them tried to kill him by shooting at him but he managed to protect himself behind another Banyamulengué and a third Banyamulengué eventually convinced the shooter to stop. The applicant states that at this time his daughter managed to flee. He further states that the Banyamulengués made him and the other fishermen prisoners and during this time he saw pillage being committed and witnessed the murder of his son who was shot by the Banyamulengués whilst he was travelling on his boat in the area of [REDACTED]. He claims that following the death of his son, he asked the Banyamulengués to kill him but they brought him to their base in [REDACTED] DRC and raped him for one month. He claims that he was released when his family paid them a sum of 500,000 CFA and that they took a picture the day of his release, which he appends. As a result of these events, the applicant claims to have suffered physical, psychological and material harm.<sup>177</sup>

### **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

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<sup>177</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx20, pages 4 to 5 and 10 to 12.

of and kinship with his son, only pillage, rape and attempted murder will be considered for the purpose of the present assessment.

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 the applicant referred to the pillage of the goods and money belonging to the group of fishermen which he led but there was no indication that his personal belongings were also pillaged.<sup>178</sup> In the additional statement, it is stated that all the furniture, equipments, frozen food, fish and money that were pillaged by the Banyamulengués belonged to the applicant and the applicants mentions several other crimes allegedly committed by the Banyamulengués.

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 his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 4 March 2003.

**Applicant** [REDACTED]<sup>79</sup>

### **Claim to victim status**

The applicant states that on 18 March 2003, more than forty Banyamulengués came to her house, located in [REDACTED] in the vicinity of [REDACTED]. She further states that they pillaged her belongings, money and livestock and used her to carry their loot. She asserts that twelve Banyamulengués raped her in the forest one after the other and that she lost consciousness. She adds that her husband

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<sup>178</sup> ICC-01/05-01/08-1862-Conf-Exp-AnxD, pages 30 to 31.

<sup>179</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx23; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 473 to 474.

divorced her after the events. Further, the applicant confirms her account of the events in an additional statement. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.<sup>180</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of twenty years between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the baptism card and the birth certificate is consistent with the data entered in the application form and that the applicant clarifies that there is an error in her birth certificate, 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 date provided by the applicant (18 March 2003) falls outside the temporal scope of the case. However, in light of the intrinsic coherence of the application as a whole, notably the reference to the occupation of [REDACTED] by the Banyamulengués, as well as the fact that a number of applicant refer to the occupation of [REDACTED] by the Banyamulengués as of 26 October 2002, the Chamber is of the view that a failure to provide a precise date should not serve to exclude the applicant.

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

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<sup>180</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx23, pages 4 to 5 and 12 to 13.

Banyamulengués of Jean-Pierre Bemba in [REDACTED] in the vicinity of [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]<sup>81</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués occupied the [REDACTED] area of [REDACTED] she fled to the forest with her family where they faced harsh living conditions. She states that upon their return, she found that the door to her house was broken and that her belongings and money had been taken. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>182</sup>

### **Analysis and conclusions**

The Chamber considers that the 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] mba on an unspecified date as of 5 March 2003.

Applicant [REDACTED]<sup>83</sup>

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<sup>181</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx55; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 475 to 476.

<sup>182</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx55, pages 4 to 5 and 11.

<sup>183</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx56; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 477 to 478.

**Claim to victim status**

The applicant states that on 5 March 2003, when Mr Bemba's rebels occupied the [REDACTED] area of [REDACTED] he fled to the bush with his family, located over 25 kilometres away. He states that upon their return, he found that the door to his house was broken and that his belongings and money had been taken. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>184</sup>

**Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

**Applicant** [REDACTED]<sup>85</sup>**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the forest, twenty five kilometers away. He states that upon his return, he found that his belongings and money

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<sup>184</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx56, pages 4 to 5 and 10.

<sup>185</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx57; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 479 to 480.

had been pillaged by the rebels. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>186</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>87</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, to take refuge in the forest, 25 kilometres away, together with her family. She further states that they faced difficult living conditions in the forest and that upon her return she found that her house had been pillaged and destroyed. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>188</sup>

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<sup>186</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx57, pages 4 to 5 and 10.

<sup>187</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx58; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 481 to 482.

<sup>188</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx58, pages 4 to 5, 10 and 11.

### **Analysis and conclusions**

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

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

**Applicant** [REDACTED]<sup>89</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the bush, twenty five kilometers away. He states that upon his return two weeks later, he found that his belongings had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>190</sup>

### **Analysis and conclusions**

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

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<sup>189</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx59; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 483 to 484.

<sup>190</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx59, pages 4 to 5 and 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 the [REDACTED] area of [REDACTED] on an unspecified date as of 5 March 2003.

**Applicant** [REDACTED]<sup>91</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the forest twenty kilometers away, where they faced harsh living conditions. She states that upon her return, she found that her belongings had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>192</sup>

**Analysis and conclusions**

The Chamber considers that the 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-

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<sup>191</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx60; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 485 to 486.

<sup>192</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx60, pages 4 to 5 and 10.

Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 5 March 2003.

Applicant [REDACTED]<sup>93</sup>

### **Claim to victim status**

The applicant states that when the Banyamulengués occupied [REDACTED] on 5 March 2003, she fled with her family to the bush. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings and money were pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>194</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>95</sup>

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<sup>193</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx61; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 487 to 488.

<sup>194</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx61, pages 4 to 5 and 10.

<sup>195</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx62; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 489 to 490.

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled to the bush. The applicant alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings and livestock were pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>196</sup>

**Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

**Applicant** [REDACTED]<sup>97</sup>**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush. She states that upon her return, she found that her belongings had been pillaged by the

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<sup>196</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx62, pages 4 to 5 and 11.

<sup>197</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx63; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 491 to 492.

rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>198</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>99</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush. She states that upon her return, she found that her belongings had been taken by the rebels. She lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>200</sup>

### **Analysis and conclusions**

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<sup>198</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx63, pages 4 to 5 and 11.

<sup>199</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx64; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 493 to 494.

<sup>200</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx64, pages 4 to 5 and 11.

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

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

**Applicant** [REDACTED]<sup>01</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled to the bush located more than twenty kilometres away. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings were pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>202</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>201</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx65; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 495 to 496.

<sup>202</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx65, pages 4 to 5 and 11.

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 5 March 2003.

**Applicant** [REDACTED]<sup>03</sup>

### **Claim to victim status**

The applicant states that when the Banyamulengués occupied [REDACTED] on 5 March 2003, she fled with her family to the bush more than fifteen kilometres away. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings and money had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>204</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>203</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx66; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 497 to 498.

<sup>204</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx66, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>05</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] she fled with her family to the bush, located over twenty kilometres away, where they lived in misery. She states that upon her return, she found that the door to her house was broken and that her belongings and money had been taken. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>206</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>07</sup>

### **Claim to victim status**

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<sup>205</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx67; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 499 to 500.

<sup>206</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx67, pages 4 to 5 and 11.

<sup>207</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx68; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 501 to 502.

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush, facing harsh living conditions. She states that upon her return, she found that her belongings and a sum of money had been pillaged by the rebels. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>208</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>09</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] and started shooting in the air, she fled with her children to the bush twenty kilometres away where living conditions were harsh. She states that upon their return, she found that the door to her house was

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<sup>208</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx68, pages 4 to 5 and 11.

<sup>209</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx69; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 503 to 504.

broken and that her belongings and money had been taken. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>210</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>11</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] she fled to the bush, located over fifteen kilometres away, where living conditions were harsh. She states that upon her return, she found that the door to her house was broken and that her belongings and money had been taken. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>212</sup>

### **Analysis and conclusions**

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<sup>210</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx69, pages 4 to 5 and 11.

<sup>211</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx70; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 505 to 506.

<sup>212</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx70, pages 4 to 5 and 11.

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

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

**Applicant** [REDACTED]<sup>13</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he had already fled to the fields from his house, located in the [REDACTED] area. He states that his children told him that the rebels had invaded the town and that nobody remained. He claims that he then told his children to continue more than 25 kilometers into the forest in order to avoid being hit by stray bullets. He further states that they spent one week in the forest, and upon their return, he discovered that the rebels had destroyed his house and taken his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>214</sup>

**Analysis and conclusions**

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

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<sup>213</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx71; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 507 to 508.

<sup>214</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx71, pages 4 to 5 and 11.

The Chamber considers 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 5 March 2003.

**Applicant** [REDACTED]<sup>15</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled with his family to the bush. The applicant alleges that upon his return to his house, located in the [REDACTED] area, he found that his door was broken and his belongings had been pillaged. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>216</sup>

**Analysis and conclusions**

The Chamber considers that the 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-

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<sup>215</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx72; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 509 to 510.

<sup>216</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx72, pages 4 to 5 and 10.

Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 5 March 2003.

Applicant [REDACTED]<sup>17</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush, where they faced harsh living conditions. She states that upon her return, she found that her belongings and money had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>218</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>217</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx73; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 511 to 512.

<sup>218</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx73, pages 4 to 5 and 10.

**Applicant** [REDACTED]<sup>19</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, to take refuge in the bush together with her family. She further states that they faced difficult living conditions in the bush and that upon her return, she found that her house and livestock had been pillaged and destroyed. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>220</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

**Applicant** [REDACTED]<sup>21</sup>

### **Claim to victim status**

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<sup>219</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx74; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 513 to 514.

<sup>220</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx74, pages 4 to 5, 11 and 13.

<sup>221</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx75; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 515 to 516.

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled together with his children from his house, located in the [REDACTED] area and took refuge in the bush, facing harsh living conditions. He states that upon his return, he found that his belongings and a sum of money had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>222</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>23</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the forest. He states that upon his return, he found that his belongings had been taken by the rebels. The applicant

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<sup>222</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx75, pages 4 to 5 and 11.

<sup>223</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx76; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 517 to 518.

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

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>25</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled with his family to the forest more than twenty kilometres away. The applicant alleges that upon his return to his house, located in the [REDACTED] area, he found that his door was broken and his belongings had been pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>226</sup>

### **Analysis and conclusions**

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<sup>224</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx76, pages 4 to 5 and 10.

<sup>225</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx77; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 519 to 520.

<sup>226</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx77, pages 4 to 5 and 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 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 5 March 2003.

**Applicant** [REDACTED]<sup>27</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the forest. He states that upon his return, he found that his belongings had been taken by the rebels. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>228</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>227</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx78; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 521 to 522.

<sup>228</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx78, pages 4 to 5 and 10.

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 5 March 2003.

**Applicant** [REDACTED]<sup>29</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the bush, where they faced harsh living conditions. He states that upon his return, he found that his house had been broken into and that his belongings had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>230</sup>

**Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>229</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx79; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 523 to 524.

<sup>230</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx79, pages 4 to 5 and 10.

Applicant [REDACTED]<sup>31</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, to take refuge in the forest, twenty kilometers away, where he faced difficult living conditions. He further states that upon his return, he found that his belongings and his money had been pillaged and his house had been destroyed. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>232</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>33</sup>

### **Claim to victim status**

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<sup>231</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx80; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 525 to 526.

<sup>232</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx80, pages 4 to 5 and 10.

<sup>233</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx81; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 527 to 528.

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, to take refuge in the forest together with her children. She further states that upon her return, she found that the door to her house had been broken and her belongings had been pillaged and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>234</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>35</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the bush, fifteen kilometres away. He states that upon his return, he found that his belongings and money had been

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<sup>234</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx81, pages 4 to 5 and 10.

<sup>235</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx82; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 529 to 530.

taken by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>236</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>37</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, he was working in the fields when his children came to tell him to flee further into the forest as the Banyamulengués had invaded [REDACTED]. He claims that they fled twenty kilometres away and that upon his return, he found that his door was broken and that all of their belongings were pillaged from his house, located in the [REDACTED] area of [REDACTED]. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>238</sup>

### **Analysis and conclusions**

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<sup>236</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx82, pages 4 to 5 and 11.

<sup>237</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx83; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 531 to 532.

<sup>238</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx83, pages 4 to 5 and 11.

The Chamber notes a discrepancy of five years between the date of birth as appearing in the application form and on the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that 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 the [REDACTED] area of [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>39</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, to take refuge in the bush together with her children. She further states that they faced difficult living conditions in the bush and that upon her return, she found that her belongings and her money had been pillaged and her house destroyed. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>240</sup>

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<sup>239</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx84; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 533 to 534.

<sup>240</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx84, pages 4 to 5 and 11.

### **Analysis and conclusions**

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

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

### **Applicant [REDACTED]<sup>41</sup>**

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] firing their weapons, he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the forest, twenty five kilometres away. He states that upon his return, he found that his belongings and money had been taken by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>242</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>241</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx85; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 535 to 536.

<sup>242</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx85, pages 4 to 5 and 11.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 5 March 2003.

**Applicant** [REDACTED]<sup>43</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, to take refuge in the bush, twenty kilometers away, together with his family. He further states that upon his return, he found that his belongings and his livestock had been pillaged and his house had been destroyed. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>244</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>243</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx86; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 537 to 538.

<sup>244</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx86, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>45</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled from his house, located in the [REDACTED] area, and took refuge in the forest. He states that upon his return, he found that his belongings had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>246</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>47</sup>

### **Claim to victim status**

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<sup>245</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx87; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 539 to 540.

<sup>246</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx87, pages 4 to 5 and 11.

<sup>247</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx88; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 541 to 542.

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, and took refuge in the bush. She states that upon her return, she found that her belongings had been taken by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>248</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>49</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in bush, where they lived harsh living conditions. She states that upon her return, she found that her belongings and

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<sup>248</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx88, pages 4 to 5 and 11.

<sup>249</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx89; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 543 to 544.

money had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>250</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>51</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house, located in the [REDACTED] area, to take refuge in the bush where he faced difficult living conditions together with his family. He further states that upon his return, he found that his belongings had been pillaged and his house had been destroyed. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>252</sup>

### **Analysis and conclusions**

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<sup>250</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx89, pages 4 to 5 and 11.

<sup>251</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx90; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 545 to 546.

<sup>252</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx90, pages 4 to 5 and 11.

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

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

#### **Applicant [REDACTED]**<sup>253</sup>

##### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] she fled to the forest with her children where they lived in misery. She states that upon their return, she found that the door to her house was broken and that her belongings had been taken. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>254</sup>

##### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>253</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx91; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 547 to 548.

<sup>254</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx91, pages 4 to 5, 11 and 13.

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 5 March 2003.

**Applicant** [REDACTED]<sup>55</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her children and took refuge in the bush, facing harsh living conditions. She states that upon her return, she found that her belongings and livestock had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>256</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>255</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx92; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 549 to 550.

<sup>256</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx92, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>57</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled with her children to the bush located more than ten kilometres away. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>258</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>59</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] he fled from his house together with his family, to take refuge in

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<sup>257</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx93; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 551 to 552.

<sup>258</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx93, pages 4 to 5 and 11.

<sup>259</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx94; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 553 to 554.

the forest where they faced difficult living conditions. He further states that upon his return, he found that his belongings and his money had been pillaged and that his house had been destroyed. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>260</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>61</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled with his family to the bush located more than 35 kilometres away. He alleges that upon his return he discovered that the rebels broke the door of his house and pillaged all his belongings. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>262</sup>

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<sup>260</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx94, pages 4 to 5 and 11.

<sup>261</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx95; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 555 to 556.

<sup>262</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx95, pages 4 to 5 and 11.

### **Analysis and conclusions**

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

### **Applicant** [REDACTED]<sup>63</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied the [REDACTED] area of [REDACTED] she fled together with her family to take refuge in the bush where they faced difficult living conditions. She further states that upon her return, she found that the door to her house had been broken and her belongings had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>264</sup>

### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>263</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx96; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 557 to 558.

<sup>264</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx96, pages 4 to 5 and 11.

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 5 March 2003.

**Applicant** [REDACTED]<sup>65</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled with his family to the bush. He alleges that upon his return to his house, located in the [REDACTED] area, he found that his door was broken and his belongings and livestock had been pillaged. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>266</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>265</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx97; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 559 to 560.

<sup>266</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx97, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>67</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men came to [REDACTED] she fled from her house, located in the [REDACTED] area, to take refuge in the bush where she faced difficult living conditions. She further states that upon her return, she found that the door to her house has been broken and that all her belongings had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>268</sup>

### **Analysis and conclusions**

The Chamber notes a discrepancy of sixty years between the date of birth as appearing in the application form and on the electoral card attached thereto. However, given that the remainder of the information provided in the electoral card is consistent with the data entered in the application form, the Chamber is of the view that 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 an unspecified date as of 5 March 2003.

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<sup>267</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx98; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 561 to 562.

<sup>268</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx98, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>69</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] she fled with her family to the bush, located over twenty kilometres away, where they lived in misery. She states that upon her return, she found that the door to her house was broken and that her belongings had been taken. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>270</sup>

### **Analysis and conclusions**

The Chamber considers that the 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] of [REDACTED] on an unspecified date as of 5 March 2003.

Applicant [REDACTED]<sup>71</sup>

### **Claim to victim status**

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<sup>269</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx100; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 563 to 564.

<sup>270</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx100, pages 4 to 5 and 11.

<sup>271</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx101; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 565 to 566.

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush, facing harsh living conditions. She states that upon her return, she found that her belongings had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>272</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>73</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués occupied the [REDACTED] area of [REDACTED] she fled to the bush where she lived in misery. She states that upon her return, she found that the door to her house was broken and that her belongings had been taken. She lists and values her loss. As

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<sup>272</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx101, pages 4 to 5 and 11.

<sup>273</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx102; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 567 to 568.

a result of the alleged events, the applicant claims to have suffered material harm.<sup>274</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>75</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled from his house, located in the [REDACTED] area and took refuge in the bush. He states that upon his return, he found that his belongings had been pillaged by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>276</sup>

### **Analysis and conclusions**

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<sup>274</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx102, pages 4 to 5 and 11.

<sup>275</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx103; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 569 to 570.

<sup>276</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx103, pages 4 to 5 and 11.

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

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

**Applicant** [REDACTED]<sup>77</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when the Banyamulengués came to the [REDACTED] area of [REDACTED] she fled to the bush, located over fifteen kilometres away, where she lived in misery. She states that upon her return, she found that the door to her house was broken and that her belongings had been taken. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>278</sup>

#### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>277</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx104; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 571 to 572.

<sup>278</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx104, pages 4 to 5 and 11.

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 5 March 2003.

**Applicant** [REDACTED]<sup>79</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied the [REDACTED] area of [REDACTED] she fled together with her family to take refuge in the bush. She further states that upon her return, she found that the door to her house had been broken and her belongings and money had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>280</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>279</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx105; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 573 to 574.

<sup>280</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx105, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>81</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] she fled from her house, located in the [REDACTED] area, and took refuge in the bush. She states that upon her return, she found that her belongings, livestock and money had been pillaged by the rebels. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>282</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>83</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area,

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<sup>281</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx106; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 575 to 576.

<sup>282</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx106, pages 4 to 5 and 10.

<sup>283</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx107; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 577 to 578.

together with her family and took refuge in the bush. She states that upon her return, she found that her belongings, livestock, and money had been taken by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>284</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>85</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] and started shooting, he fled from his house, located in the [REDACTED] area, together with his family and took refuge in the bush, twenty kilometers away. The applicant states that upon his return, he found that his house had been broken into and that his belongings and money had been

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<sup>284</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx107, pages 4 to 5 and 11.

<sup>285</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx108; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 579 to 580.

pillaged by the rebels. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>286</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>87</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied [REDACTED] she fled from her house, located in the [REDACTED] area, and took refuge fifteen kilometres away. She states that upon her return, she found that her belongings and money had been taken by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>288</sup>

### **Analysis and conclusions**

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<sup>286</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx108, pages 4 to 5 and 11.

<sup>287</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx109; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 581 to 582.

<sup>288</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx109, pages 4 to 5 and 11.

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

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

**Applicant** [REDACTED]<sup>89</sup>

**Claim to victim status**

The applicant states that when the Banyamulengués occupied [REDACTED] on 5 March 2003, she fled to the bush more than twenty kilometres away. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings, livestock and money had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>290</sup>

**Analysis and conclusions**

The Chamber considers that the 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

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<sup>289</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx110; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 583 to 584.

<sup>290</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx110, pages 4 to 5 and 11.

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 5 March 2003.

**Applicant** [REDACTED]<sup>91</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] shooting in the air, she fled from her house, located in the [REDACTED] area, together with her family and took refuge in the bush, where they lived harsh living conditions. She states that upon her return, she found that her belongings and money had been pillaged by the rebels. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>292</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

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<sup>291</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx111; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 585 to 586.

<sup>292</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx111, pages 4 to 5 and 11.

Applicant [REDACTED]<sup>93</sup>

### **Claim to victim status**

The applicant states that when Jean-Pierre Bemba's rebels occupied [REDACTED] on 5 March 2003, she fled to the bush. She alleges that upon her return to her house, located in the [REDACTED] area, she found that her door was broken and her belongings and money were pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>294</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

Applicant [REDACTED]<sup>95</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled to the bush. He alleges that upon his return to his house, located in the [REDACTED] area, he found that his door was broken and his

<sup>293</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx112; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 587 to 588.

<sup>294</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx112, pages 4 to 5 and 11.

<sup>295</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx113; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 589 to 590.

belongings had been pillaged. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>296</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 5 March 2003.

### **Applicant** [REDACTED]<sup>97</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, when Jean-Pierre Bemba's men occupied the [REDACTED] area of [REDACTED] she fled together with her children to take refuge in the bush, fifteen kilometres away, where they faced difficult living conditions. She further states that upon her return, she found that the door to her house had been destroyed and her belongings and money had been pillaged. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>298</sup>

### **Analysis and conclusions**

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<sup>296</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx113, pages 4 to 5 and 11.

<sup>297</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx114; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 591 to 592.

<sup>298</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx114, pages 4 to 5 and 11.

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

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

**Applicant** [REDACTED]<sup>99</sup>

#### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled together with his family to the bush, over twenty five kilometres away. According to the applicant, upon his return, he found that his belongings and money had been taken by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>300</sup>

#### **Analysis and conclusions**

The Chamber considers that the 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

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<sup>299</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx115; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 593 to 594.

<sup>300</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx115, pages 4 to 5 and 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

Applicant [REDACTED]<sup>01</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués attacked and occupied [REDACTED] he fled together with his family to the bush, over forty kilometres away. According to the applicant, upon his return, he found that his belongings, livestock and money had been taken by the rebels. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>302</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

Applicant [REDACTED]<sup>03</sup>

### **Claim to victim status**

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<sup>301</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx116; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 595 to 596.

<sup>302</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx116, pages 4 to 5 and 11.

<sup>303</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx117; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 597 to 598.

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's rebels occupied [REDACTED] he fled with his family to the forest located more than 35 kilometres away. He alleges that upon his return he discovered that the rebels had broken the door of his house and pillaged all his belongings and livestock. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>304</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>05</sup>

### **Claim to victim status**

The applicant states that on 7 March 2003, when Jean-Pierre Bemba's Banyamulengués occupied [REDACTED] he fled together with his family to the bush, where they suffered. According to the applicant, upon his return, he found that his belongings and money had been taken by the rebels. He lists and values his

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<sup>304</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx117, pages 4 to 5 and 11.

<sup>305</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx118; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 599 to 600.

loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>306</sup>

### **Analysis and conclusions**

The Chamber considers that the 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 7 March 2003.

### **Applicant** [REDACTED]<sup>07</sup>

#### **Claim to victim status**

The applicant states that on 6 March 2003, on his way back to Bangui from [REDACTED] DRC, where he had bought merchandise at the market, the boat he was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. He alleges that Jean-Pierre Bemba's men pillaged two of his motors. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>308</sup>

### **Analysis and conclusions**

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

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<sup>306</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx118, pages 4 to 5 and 11.

<sup>307</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx124; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 601 to 602.

<sup>308</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx124, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>309</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

**Applicant** [REDACTED]<sup>10</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, she was on her way to Bangui from [REDACTED] DRC, where she had bought some merchandise when the boat she was travelling in was intercepted by the Banyamulengués, in the area of [REDACTED]. She further states that the soldiers pillaged her merchandise and her money and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>311</sup>

**Analysis and conclusions**

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

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<sup>309</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>310</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx125; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 603 to 604.

<sup>311</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx125, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>312</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>3</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money, and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>314</sup>

**Analysis and conclusions**

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

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<sup>312</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>313</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx126; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 605 to 606.

<sup>314</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx126, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>315</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>16</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money, and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>317</sup>

**Analysis and conclusions**

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

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<sup>315</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>316</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx127; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 607 to 608.

<sup>317</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx127, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>318</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>19</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money, and she lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>320</sup>

**Analysis and conclusions**

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

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<sup>318</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>319</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx128; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 609 to 610.

<sup>320</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx128, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>321</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>22</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from [REDACTED] DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged her merchandise and money. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>323</sup>

**Analysis and conclusions**

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

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<sup>321</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>322</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx129; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 611 to 612.

<sup>323</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx129, pages 4 to 5.

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>324</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>25</sup>

**Claim to victim status**

The applicant states that on 5 March 2003, Jean-Pierre Bemba's rebels occupied the [REDACTED] area of [REDACTED] which caused him to flee with his family to the forest located 25 kilometres away. He alleges that upon his return he discovered that the door to his house was broken and all of his belongings and a sum of money had been pillaged. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>326</sup>

**Analysis and conclusions**

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

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<sup>324</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>325</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx130; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 613 to 614.

<sup>326</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx130, pages 4 to 5.

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

**Applicant** [REDACTED]<sup>27</sup>

**Claim to victim status**

The applicant states that on 6 March 2003, on her way back from [REDACTED] DRC, where she had bought and sold merchandise at the market, the boat she was travelling on was intercepted by the Banyamulengués on the river, in the area of [REDACTED]. She alleges that the Banyamulengués pillaged her merchandise and money. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>328</sup>

**Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be

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<sup>327</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx131; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 615 to 616.

<sup>328</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx131, pages 4 to 5.

rejected.<sup>329</sup> Given that the applicant clearly states that the alleged criminal acts started in the area of [REDACTED] 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 6 March 2003.

**Applicant** [REDACTED]<sup>30</sup>

**Claim to victim status**

The applicant is handicapped and her application is introduced on her behalf by her older sister.

It is stated that in March 2003, fifteen Banyamulengués, speaking Lingala, French and English, came to her house, located in the [REDACTED] village. It is alleged that while she wanted to flee, they took her behind the house and raped her. It is stated that as she resisted they closed her mouth with her cloth and scratched her eyes and as a consequence the applicant became blind. It is further alleged that they pillaged her belongings, which are listed. As a result of the alleged events, it is claimed that the applicant has suffered physical, psychological and material harm.<sup>331</sup>

**Analysis and conclusion**

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

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<sup>329</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>330</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx182; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 617 to 618.

<sup>331</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx182, pages 4 to 5.

The Chamber notes that the date provided by the applicant (March 2003) is broad and as such could 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 reference to the occupation of the [REDACTED] village by the Banyamulengués, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant.

Having considered the application as a whole, the Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 and 15 March 2003.

#### Applicant [REDACTED]<sup>32</sup>

#### **Claim to victim status**

The applicant claims that on 5 March 2003, on her way back to Bangui from [REDACTED] Republic of Congo, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués in the port of [REDACTED]. She alleges that Jean-Pierre Bemba's men pillaged the boat with all her merchandise and belongings. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>333</sup>

#### **Analysis and conclusion**

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<sup>332</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx238; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 619 to 620.

<sup>333</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx238, pages 4 to 5.

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>334</sup> Given that the applicant clearly states that the alleged criminal acts occurred in the port of [REDACTED] 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 5 March 2003.

#### **Applicant** [REDACTED]<sup>35</sup>

#### **Claim to victim status**

The applicant alleges that that on 7 March 2003, when Jean-Pierre Bemba's men came to [REDACTED] he fled from his house, together with his family. He further states that upon his return, he found that his belongings and his money had been pillaged, and he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>336</sup>

#### **Analysis and conclusion**

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

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<sup>334</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>335</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx278; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 621 to 622.

<sup>336</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx278, pages 4 to 5.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 March 2003.

**Applicant** [REDACTED]<sup>37</sup>

**Claim to victim status**

The applicant submits that on 7 March 2003 and the following days, the Banyamulengués coming from [REDACTED] and from the other side of the river attacked [REDACTED]. He states that he fled together with his family to the bush for a period of one week, where they faced harsh living conditions. He adds that they found refuge in the [REDACTED] village. The applicant further claims that when went with a group of forty young people to look after their belongings, they discovered that the Banyamulengués were pillaging their belongings. He lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>338</sup>

**Analysis and conclusion**

The Chamber notes a discrepancy of nine months and six days between the date of birth as appearing in the application form and on the declaration signed and stamped by the *chef de village* 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

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<sup>337</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx279; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 623 to 624.

<sup>338</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx279, pages 4 to 6.

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 7 March 2003.

#### Applicant [REDACTED]<sup>39</sup>

##### **Claim to victim status**

The applicant claims that on 7 March 2003, when the Banyamulengués invaded [REDACTED] she fled together with her family to the forest. According to the applicant, upon her return, she found that her belongings, livestock, and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>340</sup>

##### **Analysis and conclusion**

The Chamber considers that the 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 7 March 2003.

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<sup>339</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx280; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 625 to 626.

<sup>340</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx280, pages 4 to 5.

Applicant [REDACTED]<sup>41</sup>

### **Claim to victim status**

The applicant claims that on 7 March 2003, when the Banyamulengués invaded [REDACTED] she fled to the forest together with her family. According to the applicant, upon her return, she found that her belongings and money had been pillaged by the rebels. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>342</sup>

### **Analysis and conclusion**

The Chamber considers that the 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 7 March 2003.

## **o Twenty-third transmission - ICC-01/05-01/08-2155-Conf-Exp-Anxs**

Applicant [REDACTED]<sup>43</sup>

### **Claim to victim status**

The applicant states that on 5 March 2003, on her way back from [REDACTED] DRC, where she had bought merchandise, the boat she was travelling in was

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<sup>341</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx281; ICC-01/05-01/08-2132-Conf-Exp-Anx3, pages 627 to 628.

<sup>342</sup> ICC-01/05-01/08-2130-Conf-Exp-Anx281, pages 4 to 5.

<sup>343</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx28; ICC-01/05-01/08-2157-Conf-Exp-Anx3, pages 140 to 141.

intercepted by the Banyamulengués in the port of [REDACTED]. She further states that the soldiers pillaged her merchandise as well as her belongings and her money. She lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>344</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>345</sup> Given that it is stated that the alleged events occurred in the port of [REDACTED] 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 5 March 2003.

### **Applicant** [REDACTED]<sup>46</sup>

#### **Claim to victim status**

The applicant states that on 5 March 2003, upon her return from [REDACTED] DRC, where she had attended her daughter's wedding, the boat she was travelling in was intercepted by the Banyamulengués in the area of [REDACTED]. She further

<sup>344</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx28, pages 4 to 5.

<sup>345</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>346</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx35; ICC-01/05-01/08-2157-Conf-Exp-Anx3, pages 142 to 143.

states that the soldiers pillaged all her belongings and she lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>347</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>348</sup> Given that it is stated that the alleged events occurred in the area of

██████████ 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 ██████████ on 5 March 2003.

### **Applicant ██████████<sup>49</sup>**

#### **Claim to victim status**

The applicant states that on 6 March 2003, on her way back to Bangui from ██████████ DRC, where she had bought merchandise at the market, the boat she was travelling in was intercepted by the Banyamulengués at the level of ██████████

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<sup>347</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx35, pages 4 to 5.

<sup>348</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>349</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx40-Corr; ICC-01/05-01/08-2157-Conf-Exp-Anx3, pages 138 to 139.

She alleges that Jean-Pierre Bemba's men pillaged all her merchandise and the money she earned from selling flour and eggs in [REDACTED]. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.<sup>350</sup>

### **Analysis and conclusions**

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>351</sup> Given that it is stated that the alleged events occurred in the area of [REDACTED] 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 6 March 2003.

#### **o Twenty-fourth transmission - ICC-01/05-01/08-2185-Conf-Exp-Anxs**

**Applicant** [REDACTED]<sup>52</sup>

### **Claim to victim status**

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<sup>350</sup> ICC-01/05-01/08-2155-Conf-Exp-Anx40-Corr, pages 4 to 5 and 10.

<sup>351</sup> ICC-01/05-01/08-1017, paragraph 58.

<sup>352</sup> ICC-01/05-01/08-2185-Conf-Exp-Anx5; ICC-01/05-01/08-2187-Conf-Exp-Anx4, pages 204 to 206.

The applicant claims that at the time the Banyamulengués were driven out of Bangui because Mr Bozizé came into power and while they were fleeing to the DRC, he was on an island in the area of [REDACTED] in CAR territory, to buy and sell merchandise, when the Banyamulengués found him. He alleges that the Banyamulengués beat him, pillaged his merchandise and took his money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>353</sup>

### **Analysis and conclusions**

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

The Chamber notes that it has already taken a decision on the merits of the application, whereby the application was rejected on the basis that the Chamber was not in a position to determine whether the alleged events were falling under the temporal scope of the present case since in the original application, the applicant stated that the alleged events occurred between [REDACTED] (DRC) and [REDACTED] (CAR). However, given that in the additional statement, the applicant clarifies that the events occurred on an island that was located on CAR territory, the Chamber is of the view that the application falls under the geographical scope of the present case.

The Chamber further notes that in the additional statement, the applicant fails to provide a precise date for the alleged events. However, in light of the intrinsic coherence of the application in all other respects, and notably the reference to the time the Banyamulengués were driven out of Bangui because Mr Bozizé came into power and to their flight to the DRC, the Chamber is of the view that the

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<sup>353</sup> ICC-01/05-01/08-2185-Conf-Exp-Anx, pages 9 to 11, 21 and 24 to 26 .

failure to provide a precise date should not serve to exclude the applicant. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the vicinity of [REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

**Applicant** [REDACTED]<sup>54</sup>

**Claim to victim status**

The applicant claims that the Banyamulengués attacked his boat on the river on an island between [REDACTED] and [REDACTED] from where [REDACTED] could be seen. He states that they beat him and stole his boat, his money and his belongings. He adds that he returned to [REDACTED] with a group of fishermen and then went to Bangui. He clarifies that upon his return to Bangui, the Banyamulengués had already left because the events in [REDACTED] occurred when the Banyamulengués were fleeing the country because they were driven out by Mr Bozizé's rebels. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.<sup>355</sup>

**Analysis and conclusions**

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

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<sup>354</sup> ICC-01/05-01/08-2185-Conf-Exp-Anx65; ICC-01/05-01/08-2187-Conf-Exp-Anx4, pages 207 to 209.

<sup>355</sup> ICC-01/05-01/08-2185-Conf-Exp-Anx65, pages 4 to 5, 10 to 11.

The Chamber notes that in the additional statement, the applicant fails to provide a precise date for the alleged events. However, in light of the intrinsic coherence of the additional statement in all other respects, notably the statement that Banyamulengués had already left Bangui because the events in [REDACTED] occurred when the Banyamulengués were fleeing the country because they were driven out by Mr Bozizé's rebels, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant. The Chamber further notes that while in the original application, it is stated that the events occurred in the applicant's house in the [REDACTED] area, in the additional statement, it is provided that the events occurred on the river, while the applicant was in his boat. In this regard, the Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of the Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.<sup>356</sup> As the applicant clearly states that the alleged events occurred on an island between [REDACTED] and [REDACTED] from where [REDACTED] could be seen, the Chamber is of the view that the application falls under the geographical scope of the present case. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 area of [REDACTED] on an unspecified date between 1 and 15 March 2003.

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<sup>356</sup> ICC-01/05-01/08-1017, paragraph 58.