

ANNEX B

Group B: Damara/Sibut

- **Eighth transmission - ICC-01/05-01/08-981-Conf-Exp-Anxs**

Applicant [REDACTED]

Claim to victim status

The applicant states that the militia men of Mr Bemba, also known as the Banyamulengués, took control over the [REDACTED] village, near [REDACTED] and installed their base there for more than a month. He claims that on 27 February 2003 he fled to the bush and that the Banyamulengués looted his house in his absence. As a result of the alleged events, the applicant claims to have suffered material harm.²

Analysis and conclusions

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

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

¹ ICC-01/05-01/08-981-Conf-Exp-Anx6; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 273 to 274.

² ICC-01/05-01/08-981-Conf-Exp-Anx6, pages 9 to 11; 23.

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

The applicant states that on 29 October 2002, he left his house and fled to the bush. He claims that on 7 December 2002 in [REDACTED] the men of Patassé attacked Bozizé's troops and, the soldiers of Jean-Pierre Bemba under the command of colonel Moustapha, occupied [REDACTED] and pillaged all the houses in the region. The applicant states that his house and his shop were pillaged, as well as the merchandise in his storage room. He also claims that his bar was destroyed and his livestock was killed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 December 2002.

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

³ ICC-01/05-01/08-981-Conf-Exp-Anx58; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 275 to 276.

⁴ ICC-01/05-01/08-981-Conf-Exp-Anx58, pages 9 to 11, 18 to 20.

⁵ ICC-01/05-01/08-981-Conf-Exp-Anx98; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 277 to 278.

The applicant states that, at the time of the events, he was a conductor on the Bangui-██████████ route. On 18 November 2002, on the way back to Bangui, the vehicle he was working on was stopped, █ km away from ██████ in the l'Ombello-Mpoko *prefecture*, by the Banyamulengués. He claims that they raped and tortured some of the passengers and pillaged the entire luggage of the passengers, including his profits consisting of approximate 500.000 FCFA, and a sum of 100.000 FCFA that he had with him. The applicant also claims that he was savagely beaten. He further states that they took the vehicle. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his money by the Banyamulengués of Jean-Pierre Bemba in the l'Ombello-Mpoko *prefecture*, █ km away from ██████ on 18 November 2002.

Applicant ██████

Claim to victim status

⁶ ICC-01/05-01/08-981-Conf-Exp-Anx98, pages 9 to 11.

⁷ ICC-01/05-01/08-981-Conf-Exp-Anx126; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 279 to 280.

The applicant states that he found her mother in [REDACTED] trying to flee to Bangui, and that she told him that their house, located in the [REDACTED] area of [REDACTED] had been burned down by the soldiers of Jean-Pierre Bemba. He also contends that their family compound, which included [REDACTED], housing and shops, was partly pillaged and partly destroyed. The events allegedly took place between February and March 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that the date of the alleged events provided by the applicant, March 2003, could fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

⁸ ICC-01/05-01/08-981-Conf-Exp-Anx126, pages 9 to 11.

⁹ ICC-01/05-01/08-981-Conf-Exp-Anx127; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 281 to 282.

Claim to victim status

The applicant states that on 15 December 2002, he decided to go to [REDACTED] to spend Christmas with his parents. He alleges that the vehicle in which he was travelling was stopped by the Banyamulengués of Jean-Pierre Bemba at the level of [REDACTED]. He claims that they forced him to step out of the vehicle and that he was searched. He says that, as he did not have money or other valuable objects, they hit him until he fell unconscious and they left him in the bush. He says that he had his merchandise with him and he lists them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, he fled to the bush due to the arrival of the Banyamulengués in [REDACTED] leaving all his property behind. Upon

¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx127, pages 9 to 11.

¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx128; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 283 to 284.

his return, he realized that all his belongings and merchandise were taken by Mr. Bemba's men. The applicant attaches a certificate signed by the *chef du quartier* and attesting his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²

Analysis and conclusions

The Chamber notes a discrepancy of 10 years between his age as appearing in the application form and the date of birth on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, in the [REDACTED] area of [REDACTED] he lost his belongings. He alleges that the NGOs told him that the men of Jean-Pierre Bemba were involved in the events. The applicant attaches a certificate of the *chef*

¹² ICC-01/05-01/08-981-Conf-Exp-Anx128, pages 9 to 11, 21.

¹³ ICC-01/05-01/08-981-Conf-Exp-Anx129; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 285 to 286.

du quartier attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴

Analysis and conclusions

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

Although the applicant does not clearly state whether his belongings were pillaged or destroyed, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, Mr Bemba's troops invaded the [REDACTED] [REDACTED] area of [REDACTED]. He alleges that Mr Bemba's militia pillaged all his belongings, including his vehicle and merchandise, either to sell them or to take them to Congo. He claims that they exercised violence on him. The applicant attaches a certificate of the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁶

Analysis and conclusions

¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx129, pages 9 to 11.

¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx130; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 287 to 288.

¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx130, pages 9 to 11, 22.

The Chamber considers that the 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 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, Mr Bemba's troops invaded the [REDACTED] [REDACTED] area of [REDACTED]. He alleges that he and his family fled to the fields to seek refuge and upon his return, he realized that his shop and his house had been pillaged, including his merchandise and livestock. The applicant attaches a certificate signed by the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸

Analysis and conclusions

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

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

¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx131; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 289 to 290.

¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx131, pages 9 to 11, 21.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002 he lost everything he had in his shop and that the people of the NGO *Médecins sans frontières* told him that Mr Bemba's men were responsible for the events. The events allegedly took place in [REDACTED]. The applicant attaches a certificate of the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 7 December 2002.

Applicant [REDACTED]²¹

Claim to victim status

¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx132; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 291 to 292.

²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx132, pages 9 to 11.

²¹ ICC-01/05-01/08-981-Conf-Exp-Anx133; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 293 to 294.

The applicant states that on 7 December 2002, Mr Bemba's troops arrived in [REDACTED]. He alleges that he and his family fled to the bush and upon his return on 11 December 2002 he realized that his house had been looted and he was told that Mr Bemba's militia were responsible. When he decided to go to their base in the [REDACTED] area to recover the loot, they hit him with the butts of their rifles. The applicant attaches a certificate of the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 7 and 11 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, Mr Bemba's troops took control over [REDACTED]. He says that he and his family fled to the bush. He alleges that at the time he was a local authority and as such, he returned to the village to get

²² ICC-01/05-01/08-981-Conf-Exp-Anx133, pages 9 to 11, 21.

²³ ICC-01/05-01/08-981-Conf-Exp-Anx134; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 295 to 296.

information about the events and he addressed Mr [REDACTED] who spoke English, and Mr [REDACTED] who spoke French. He argues that they were both related to Mr Bemba and adds that they stole his livestock. The applicant attaches a certificate of the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that at the time Mr Bemba's militia took control over [REDACTED] he fled to the bush. He alleges that, subsequently, he went to Chad for a period of four months until Bozizé took the power. He says that during his absence, Mr Bemba's troops, which were pillaging all the properties there, took all his belongings as well as those of his family. The applicant attaches a

²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx134, pages 9 to 11, 21, 22.

²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx135; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 297 to 298.

certificate of the *chef de quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶

Analysis and conclusions

The Chamber notes that the applicant submits a standard application form with a page annexed thereto, containing extra information about the events. Nevertheless the standard application form does not contain the applicant's signature, whereas the annexed additional page is signed by way of thumbprint. Accordingly, pursuant to Rule 89(1) of the Rules of Procedure and Evidence and following the criteria set out by the jurisprudence of the Court regarding the completeness of the application,²⁷ the Chamber considers that this application to participate can be assessed considering only the identity document provided by the applicant and the additional page attached thereto, containing extra information and featuring his thumbprint at the bottom of the page. Therefore, the Chamber considers that the information and the documents provided sufficiently demonstrate the identity of the applicant.

The Chamber notes that the applicant did not specify the date of the alleged events. Nevertheless, the Chamber considers that, in view of the coherence with other applications for participation and the intrinsic coherence of the application in all other respects, notably that he mentions that he fled at the time the Banyamulengués took control over [REDACTED] and that he returned to his house when Bozizé seized the power, and taking into account the fact that the alleged events occurred over 7 years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx135, page 22.

²⁷ Fourth Decision on victim's Participation, 12 December 2008, ICC-01/05-01/08-320, paragraph 81.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 December 2002 and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, Mr Bemba's troops arrived in [REDACTED]. He alleges that he lost his belongings and that he was informed that it was due to the actions of Mr Bemba's men. The applicant attaches a certificate of the *chef du quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 7 December 2002.

²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx136; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 299 to 300.

²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx136, pages 9 to 11.

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

The applicant states that on 7 December 2002, she and her family fled from the [REDACTED] village in [REDACTED] and took refuge in the bush. She claims that she left all her property behind and upon her return she realized that her belongings and animals were taken. She identifies Mr Patassé and the Banyamulengués as being responsible for the events. The applicant attaches a certificate of the *chef de quartier* attesting her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹

Analysis and conclusions

The Chamber considers that the 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] [REDACTED] on an unspecified date as of 7 December 2002.

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

The applicant states that on 7 December 2002, following the arrival of the Banyamulengués, she fled to the bush. She declares that she left all her property

³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx137; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 301 to 302.

³¹ ICC-01/05-01/08-981-Conf-Exp-Anx137, pages 9 to 11.

³² ICC-01/05-01/08-981-Conf-Exp-Anx138; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 303 to 304.

behind in the [REDACTED] village, [REDACTED] and that the soldiers took advantage of her absence and entered her house in order to take her belongings, including her children's documents. She claims that she and her children still sleep on the floor and that this situation has affected their health. The applicant attaches a certificate of the *chef de quartier* attesting her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³³

Analysis and conclusions

The Chamber considers that the 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] [REDACTED] on an unspecified date as of 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, the Banyamulengués seized [REDACTED]. He alleges that they broke into his house, located in [REDACTED], and pillaged the belongings that he lists and values in the application. The applicant attaches a certificate of the *chef de quartier* attesting his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵

³³ ICC-01/05-01/08-981-Conf-Exp-Anx138, pages 9 to 11.

³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx139; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 305 to 306.

³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx139, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 December 2002, he fled to the bush to seek refuge due to the war in the area. He alleges that he left everything behind in the [REDACTED] area of [REDACTED] and that he has lost all his goods for the profit of the Banyamulengués. The applicant attaches a certificate of the *chef de quartier* attesting her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁷

Analysis and conclusions

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

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

³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx140; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 307 to 308.

³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx140, pages 9 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 7 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 17 February 2003, she was travelling to Bangui to sell her merchandise. Upon her arrival in [REDACTED] the soldiers of the MLC of Jean-Pierre Bemba stopped the car and told the driver and his apprentice to give them all the merchandise. She alleges that they made her take her clothes off in public. She further states that they looted her money and merchandise. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

³⁸ ICC-01/05-01/08-981-Conf-Exp-Anx154; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 140 to 141.

³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx154, pages 9 to 11, 19.

⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx166; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 311 to 312.

Claim to victim status

The applicant states that on 31 October 2002, when the Banyamulengués rebels invaded his village, he hid in his house. He further claims that one of the rebels broke the door of his house and threatened him with a gun. He alleges that he put his right arm up in the air and begged the soldier not to kill him but the man shot in his direction and he received the bullet in his right arm. As a result of the alleged events, the applicant claims to have suffered physical harm.⁴¹

Analysis and conclusions

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

The Chamber notes that the applicant fails to specify the exact location of the alleged events, but he only mentions that the events occurred at his house, located on the [REDACTED]. However, given that the applicant's place of birth, [REDACTED] village, [REDACTED] road to [REDACTED] Bangui, coincides with his recent address the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, an inaccuracy as to the exact location of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his attempted murder by the Banyamulengués of Jean-Pierre Bemba in Bangui on 31 October 2002.

⁴¹ ICC-01/05-01/08-981-Conf-Exp-Anx166, pages 9 to 11.

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

The applicant states that on 27 February 2003, when the Banyamulengués invaded the village of [REDACTED] km from [REDACTED] he fled to the bush. He alleges that they set up their base in the village for more than one month and that they looted his house. As a result of the alleged events, the applicant claims to have suffered material harm.⁴³

Analysis and conclusions

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

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

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

The applicant declares that on 27 February 2003, when the Banyamulengués invaded the village of [REDACTED] km from [REDACTED] he was forced to seek refuge in the bush. He states that the soldiers set up their base in the village for more than

⁴² ICC-01/05-01/08-981-Conf-Exp-Anx176; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 313 to 314.

⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx176, pages 9 to 11.

⁴⁴ ICC-01/05-01/08-981-Conf-Exp-Anx177; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 315 to 316.

one month and that they looted his house. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁵

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, the Banyamulengués invaded her village, [REDACTED] forcing her to flee to the bush. She claims that they set up their base in [REDACTED] and stayed there for more than one month. She asserts that the militia men looted her goods, which she lists, leaving her impoverished. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁷

Analysis and conclusions

⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx177, pages 9 to 11.

⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx178; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 317 to 318.

⁴⁷ ICC-01/05-01/08-981-Conf-Exp-Anx178, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 goods by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués invaded [REDACTED] she fled to the bush together with her children. She claims that while she was hidden in the bush, one km away from the village, some soldiers followed her and violently harassed her. The applicant appends a medical document attesting she is HIV positive. In addition, she alleges that the Banyamulengués set up their base in [REDACTED] for more than a month and looted her house, located in the [REDACTED] village. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁹

Analysis and conclusions

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

⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx179; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 319 to 320.

⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx179, pages 9 to 11; 18.

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 family house, to the extent of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués invaded the village of [REDACTED] she was forced to flee to the bush. She alleges that they set up their base in the village and occupied it for more than one month and that they looted her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁵¹

Analysis and conclusions

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

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

⁵⁰ ICC-01/05-01/08-981-Conf-Exp-Anx180; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 321 to 322.

⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx180, pages 9 to 11; 19.

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

The applicant states that on 27 February 2003, when the Banyamulengués invaded [REDACTED] he and his family fled and sought refuge in the bush. He alleges that the soldiers set up their base in the village and stayed there for more than one month and that they looted his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁵³

Analysis and conclusions

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

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

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

The applicant states that, on 27 February 2003, when the Banyamulengués invaded his village, [REDACTED] he fled to the bush. He alleges that the militia men occupied his village for more than one month, and that they stole his goods,

⁵² ICC-01/05-01/08-981-Conf-Exp-Anx181; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 323 to 324.

⁵³ ICC-01/05-01/08-981-Conf-Exp-Anx181, pages 9 to 11.

⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx182; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 325 to 326.

which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁵

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 27 February 2003, when the Banyamulengués invaded [REDACTED] she fled to the bush. She alleges that they occupied her village for more than a month and that they looted her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁷

Analysis and conclusions

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

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

⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx182, pages 9 to 11.

⁵⁶ ICC-01/05-01/08-981-Conf-Exp-Anx183; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 327 to 328.

⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx183, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 27 February 2003, the Banyamulengués invaded the village of [REDACTED] and he fled to the bush. He alleges that they occupied his village for more than a month and that they looted his goods, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx184; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 329 to 330.

⁵⁹ ICC-01/05-01/08-981-Conf-Exp-Anx184, pages 9 to 11.

⁶⁰ ICC-01/05-01/08-981-Conf-Exp-Anx185; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 331 to 332.

The applicant states that on 27 February 2003, when the Banyamulengués invaded [REDACTED] he ran away and took refuge in the bush. He alleges that the soldiers occupied his village for more than a month and that they looted his goods, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁶¹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003 the Banyamulengués invaded [REDACTED] and occupied the area for more than a month. She alleges that she fled to the bush and that the militia men looted her goods and those of her family. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶³

Analysis and conclusions

⁶¹ ICC-01/05-01/08-981-Conf-Exp-Anx185, pages 9 to 11.

⁶² ICC-01/05-01/08-981-Conf-Exp-Anx186; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 333 to 334.

⁶³ ICC-01/05-01/08-981-Conf-Exp-Anx186, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 goods by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003 the Banyamulengués invaded his village, [REDACTED] and occupied the area for more than a month. He alleges that he fled to the bush and that the militia men looted his goods, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁵

Analysis and conclusions

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

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

⁶⁴ ICC-01/05-01/08-981-Conf-Exp-Anx187; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 335 to 336.

⁶⁵ ICC-01/05-01/08-981-Conf-Exp-Anx187, pages 9 to 11.

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

The applicant states that on 27 February 2003, when the militia of Jean-Pierre Bemba arrived in [REDACTED] and fired gun shots, she decided to flee to the fields, more than 5 km away from [REDACTED]. She alleges that they took her belongings, as listed in the application form. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁷

Analysis and conclusions

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

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

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

The applicant declares that on 27 February 2003 the Banyamulengués took control over the village of [REDACTED] and occupied the area for more than one month. He alleges that he was forced to flee to the bush, and that they pillaged

⁶⁶ ICC-01/05-01/08-981-Conf-Exp-Anx188; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 337 to 338.

⁶⁷ ICC-01/05-01/08-981-Conf-Exp-Anx188, pages 9 to 11.

⁶⁸ ICC-01/05-01/08-981-Conf-Exp-Anx189; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 339 to 340.

his goods, which he lists, including his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003 the militia men occupied the village of [REDACTED] and occupied in the area for more than one month. He alleges that he fled to the bush and that they pillaged his goods, including his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁷¹

Analysis and conclusions

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

⁶⁹ ICC-01/05-01/08-981-Conf-Exp-Anx189, pages 9 to 11; 18 to 19.

⁷⁰ ICC-01/05-01/08-981-Conf-Exp-Anx190; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 341 to 342.

⁷¹ ICC-01/05-01/08-981-Conf-Exp-Anx190, pages 9 to 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 goods by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean-Pierre Bemba besieged the village of [REDACTED] he was forced to take refuge in the fields, more than five km away from his house. He alleges that they stayed in the village for more than a month, and that they stole his belongings and those of his family. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁷³

Analysis and conclusions

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

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

⁷² ICC-01/05-01/08-981-Conf-Exp-Anx191; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 343 to 344.

⁷³ ICC-01/05-01/08-981-Conf-Exp-Anx191, pages 9 to 11.

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

The applicant states that on 27 February 2003, when the militia of Jean-Pierre Bemba attacked the village of [REDACTED] he was forced to flee and to take refuge in the bush. He alleges that the militia stayed in the village for over a month and that they took his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁵

Analysis and conclusions

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

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

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

The applicant states that on 27 February 2003, the Banyamulengués attacked the village of [REDACTED] and stayed there for more than one month. She claims that following gun shots, she fled to the bush. She alleges they took all her belongings,

⁷⁴ ICC-01/05-01/08-981-Conf-Exp-Anx192; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 345 to 346.

⁷⁵ ICC-01/05-01/08-981-Conf-Exp-Anx192, pages 9 to 11.

⁷⁶ ICC-01/05-01/08-981-Conf-Exp-Anx193; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 347 to 348.

which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁷

Analysis and conclusions

The Chamber considers that the 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 goods by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 27 February 2003, when the Banyamulengués occupied the village of [REDACTED] he was forced to flee to the fields. He alleges that they took his belongings, which he lists, including his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁹

Analysis and conclusions

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

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

⁷⁷ ICC-01/05-01/08-981-Conf-Exp-Anx193, pages 9 to 11.

⁷⁸ ICC-01/05-01/08-981-Conf-Exp-Anx194; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 349 to 350.

⁷⁹ ICC-01/05-01/08-981-Conf-Exp-Anx194, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant declares that on 27 February 2003 the Banyamulengués took over the village of [REDACTED] where they stayed for more than one month. He alleges that he was forced to flee to the fields and that the soldiers stole his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁸¹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

⁸⁰ ICC-01/05-01/08-981-Conf-Exp-Anx195; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 351 to 352.

⁸¹ ICC-01/05-01/08-981-Conf-Exp-Anx195, pages 9 to 11.

⁸² ICC-01/05-01/08-981-Conf-Exp-Anx196; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 353 to 354.

The applicant states that on 27 February 2003, when the Banyamulengués occupied the village of [REDACTED] she was forced to flee to the fields. She alleges that they took her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁸³

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués of Jean Pierre Bemba occupied the village of [REDACTED] he was forced to take refuge in the fields. He further claims that the militia men followed him in the fields, they accused him of hiding the rebels and they beat him and threatened him with a gun. The applicant also contends that they pillaged his money and the belongings in his house. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁸⁵

⁸³ ICC-01/05-01/08-981-Conf-Exp-Anx196, pages 9 to 11.

⁸⁴ ICC-01/05-01/08-981-Conf-Exp-Anx197; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 355 to 356.

⁸⁵ ICC-01/05-01/08-981-Conf-Exp-Anx197, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués took control over the village of [REDACTED] and occupied it for a month, he had to take refuge in the fields, more than 5 km away from his house. He alleges that they stole some of his goods, as listed in the application form. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁸⁷

Analysis and conclusions

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

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

⁸⁶ ICC-01/05-01/08-981-Conf-Exp-Anx198; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 357 to 358.

⁸⁷ ICC-01/05-01/08-981-Conf-Exp-Anx198, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003 the militias of Jean-Pierre Bemba attacked the village of [REDACTED] and stayed there for more than a month. He alleges that he was forced to flee to the fields and that the Banyamulengués pillaged his house. The applicant lists his lost belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁸⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

⁸⁸ ICC-01/05-01/08-981-Conf-Exp-Anx199; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 359 to 360.

⁸⁹ ICC-01/05-01/08-981-Conf-Exp-Anx199, pages 9 to 11.

⁹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx200; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 361 to 362.

Claim to victim status

The applicant alleges that on 27 February 2003, when the militia men took control over the village of [REDACTED] ([REDACTED] he was forced to flee to the fields. The applicant claims that they had occupied the area for more than one month and that they stole his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹¹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, while he was travelling with his family to Bangui, the rented vehicle they were travelling in was stopped by the men of Mr Bemba in [REDACTED]. He alleges that they pillaged all his belongings and those of his family. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹³

⁹¹ ICC-01/05-01/08-981-Conf-Exp-Anx200, pages 9 to 11.

⁹² ICC-01/05-01/08-981-Conf-Exp-Anx218; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 363 to 364.

⁹³ ICC-01/05-01/08-981-Conf-Exp-Anx218, 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 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when [REDACTED] was attacked by the militia called Banyamulengués, he was not able to flee because the Banyamulengués held him immobilized on the ground. He states that they held him at gunpoint and fired a shot so close to his ears that his hearing has been impaired. He further claims that subsequently, he fled to the bush and that the Banyamulengués pillaged his belongings, as listed in the application. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹⁵

Analysis and conclusions

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

⁹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx242; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 365 to 366.

⁹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx242, pages 9 to 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 [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in February 2003, on a Friday morning before the 13.00 prayer, the troops of Jean-Pierre Bemba attacked [REDACTED]. She contends that she fled to the fields, together with her mother and her children. She states that during her absence, all her belongings were pillaged. According to the applicant, the events occurred in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁷

Analysis and conclusions

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

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

⁹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx244; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 367 to 368.

⁹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx244, pages 9 to 11.

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

The applicant states that on 27 February 2003, when the militia commonly called Banyamulengués, took control over [REDACTED] he fled to the bush. He alleges that the Banyamulengués established their base in [REDACTED] for more than one month and pillaged his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁹

Analysis and conclusions

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

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

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

The applicant states that on 27 February 2003, when the militia commonly called Banyamulengués took control over [REDACTED] he fled to the bush. He alleges that the Banyamulengués established their base in [REDACTED] for more than one month

⁹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx249; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 369 to 370.

⁹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx249, pages 9 to 11.

¹⁰⁰ ICC-01/05-01/08-981-Conf-Exp-Anx251; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 371 to 372.

and pillaged his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰¹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués took control over [REDACTED] [REDACTED] he fled to the bush. He alleges that the Banyamulengués established their base in [REDACTED] for more than one month and pillaged his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰³

Analysis and conclusions

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

¹⁰¹ ICC-01/05-01/08-981-Conf-Exp-Anx251, pages 9 to 11.

¹⁰² ICC-01/05-01/08-981-Conf-Exp-Anx252; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 373 to 374.

¹⁰³ ICC-01/05-01/08-981-Conf-Exp-Anx252, pages 9 to 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 [REDACTED] [REDACTED] on an unspecified date as of 27 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 February 2003, when the Banyamulengués took control over [REDACTED] [REDACTED] he fled to the bush. He alleges that the Banyamulengués established their base in [REDACTED] for more than one month and pillaged his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁵

Analysis and conclusions

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

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

¹⁰⁴ ICC-01/05-01/08-981-Conf-Exp-Anx255; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 375 to 376.

¹⁰⁵ ICC-01/05-01/08-981-Conf-Exp-Anx255, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant is deceased and the application is introduced on her behalf by her father.

It is submitted that on 13 February 2003, the applicant was on her way back from [REDACTED] to Bangui, when she was intercepted by the Banyamulengués in [REDACTED]

One of the MLC chiefs took the applicant into the bush in order to rape her. The applicant started fighting with him and the man grabbed a Kalashnikov and shot her. Subsequently, they pillaged the bags of the applicant. The death certificate appended to the application is hardly legible but it indicates that the death occurred in July.

As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. In addition, the person acting on behalf of the applicant claims to have suffered psychological harm.¹⁰⁷

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and her father, who is acting on her behalf, as well their kinship.

The Chamber notes that the application suggests that the death occurred directly after the shot, on 13 February 2003, while the death certificate indicates that the death occurred in July. However, the Chamber notes that the death certificate is hardly legible and, as such, it does not enable the Chamber to properly verify its content. Therefore, in light of the inherent coherence of the application in all

¹⁰⁶ ICC-01/05-01/08-981-Conf-Exp-Anx271; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 377 to 378.

¹⁰⁷ ICC-01/05-01/08-981-Conf-Exp-Anx271, pages 9 to 11, 26.

other respects, and bearing in mind that no corroboration through contemporaneous documents is required at this stage of the proceedings, the Chamber is of the view that such inconsistency as to the date of death should not serve to exclude the application. Accordingly, the Chamber is of the view that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that the applicant suffered personal harm as a result of crimes confirmed against the accused, namely her murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003. In addition, the Chamber is satisfied that the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his daughter by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Monday, at 14.00, the Banyamulengués arrived in his village, in [REDACTED] [REDACTED] shooting with their guns and thus making everybody flee to the bush. He states that they raped girls and women, shot those who refused to give them money and pillaged his house. He further contends that he lost his brother. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁹

¹⁰⁸ ICC-01/05-01/08-981-Conf-Exp-Anx276; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 379 to 380.

¹⁰⁹ ICC-01/05-01/08-981-Conf-Exp-Anx276, pages 9 to 11.

Analysis and conclusions

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

However, the Chamber notes that the applicant only indicates that the events occurred on a Monday, at 14.00, without providing the precise date or approximate period of the alleged events. It is further observed that the location referred to by the applicant is not mentioned by any other applicant. Accordingly, in the absence of any such information, even approximate, the Chamber considers that the application is incomplete and therefore the harm alleged by the applicant will not be assessed.

Applicant ██████████

Claim to victim status

The applicant states that in November 2002, when she learned that the Banyamulengués had taken control over ██████████ she fled to the fields for 3 days. Upon her return, she found her house empty as all her belongings had allegedly been pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹¹

Analysis and conclusions

¹¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx279; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 381 to 382.

¹¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx279, pages 9 to 11.

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

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