

ANNEX C

Group C: Boali, Bossembélé, Bossangoa, Bozoum

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

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 8 November 2002, in order to escape the repression from Abdoulaye Miskine, the applicant took his cattle to [REDACTED] village on [REDACTED] road. It is alleged that the Banyamulengués who were going towards [REDACTED], having heard the cattle, entered this area. It is claimed that the Banyamulengués requested the applicant to give his money and as he refused, they killed him, killed part of his cattle while the rest of the animals fled. It is further submitted that the shepherd who was with him immediately fled to inform the applicant's family. The person acting on behalf of the deceased applicant submits that his death is an important emotional and material loss for them. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. Furthermore, the person acting on behalf of the deceased applicant claims to have suffered psychological and material harm.²

Analysis and conclusions

¹ ICC-01/05-01/08-981-Conf-Exp-Anx10.

² ICC-01/05-01/08-981-Conf-Exp-Anx10, pages 9 to 11; 21 to 22.

The Chamber considers that the documents provided demonstrate the identities of both the deceased applicant and of the person acting on his behalf, as well as the kinship between them.

The Chamber is of the view 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 he has suffered personal harm as a result of crimes confirmed against the accused, namely his murder and pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] road to [REDACTED] on 8 November 2002.

The Chamber further considers that, overall, the person acting on behalf of the deceased applicant has also 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 murder of his uncle and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] road to [REDACTED] on 8 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that after 1 December 2002 the Banyamulengués attacked his village of [REDACTED] near the city of [REDACTED]. He claims that they frightened the population by firing guns in the air and that he fled, leaving behind his livestock which was then pillaged. He further lists his pillaged belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁴

³ ICC-01/05-01/08-981-Conf-Exp-Anx11; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 386 to 387.

⁴ ICC-01/05-01/08-981-Conf-Exp-Anx11, pages 9 to 11.

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] near [REDACTED] on an unspecified date after 1 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 1 December 2002 and 12 March 2003, the armed troops of the MLC which he also refers to as the Banyamulengués, took control over [REDACTED] and over the village of [REDACTED]. He claims that they pillaged four of his animals. As a result of the alleged events, the applicant claims to have suffered material harm.⁶

Analysis and conclusions

The Chamber notes that the applicant has provided a copy of an official decision issued and signed by a *Préfet* which states that the applicant, whose name is mentioned, was elected as chief of village. The Chamber considers that the document provided sufficiently demonstrates the identity of the applicant.

⁵ ICC-01/05-01/08-981-Conf-Exp-Anx12; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 12 to 13.

⁶ ICC-01/05-01/08-981-Conf-Exp-Anx12, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his four animals by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 1 December 2002 and 12 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that the Banyamulengués camped in his village of [REDACTED] in order to get fresh supplies. He underlines that when he heard about pillage and physical abuse in the centre of [REDACTED] he decided to hide his belongings with the exception of his clothes and livestock. He states that as they camped in the village, the villagers left and there was no one to witness the events and that it is only after the hostilities that he noticed his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸

Analysis and conclusions

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

The Chamber notes that the applicant does not specify any date for the alleged events and as such they might fall outside the temporal scope of the case. Nevertheless, the Chamber considers that the application is coherent, that the applicant notably claimed that the Banyamulengués established their camp in his

⁷ ICC-01/05-01/08-981-Conf-Exp-Anx13; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 390 to 391.

⁸ ICC-01/05-01/08-981-Conf-Exp-Anx13, pages 9 to 11; 22.

village and that such event is also mentioned by several others applications for participation.⁹ Thus, the Chamber is of the view that, under these circumstances, such shortcoming in the application form should not serve to exclude the applicant's claim for alleged events that occurred over seven years ago.

Accordingly, 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 from on or about 26 October 2002 to 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that few days after the 1 December 2002's celebrations, and after having taken control over [REDACTED] the Banyamulengués camped in his village of [REDACTED] in order to get fresh supplies. He claims that they frightened the population by firing in the air as a result of which he fled leaving behind him his livestock and other belongings which were pillaged afterwards. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹

Analysis and conclusions

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

⁹ See for example applications [REDACTED]

¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx14; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 392 to 393.

¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx14, pages 9 to 11.

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] a few days after 1 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that he was a nurse and that he had opened a [REDACTED] in [REDACTED]. He claims that the occupation of the city by the rebels from the DRC, whom he also refers to as the MLC troops of Jean-Pierre Bemba, forced him to flee with his family. He alleges that the rebels, who were speaking Lingala, pillaged, destroyed and damaged his [REDACTED], his livestock and other belongings in his house in the [REDACTED] area of [REDACTED]. He further states that it is very difficult for people in [REDACTED] to remember a specific date as the rebels controlled the city for months and his family sought refuge in the bush. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³

Analysis and conclusions

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

The Chamber notes that the applicant does not specify any date for the alleged events and as such they might fall outside the temporal scope of the case.

¹² ICC-01/05-01/08-981-Conf-Exp-Anx15; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 394 to 395.

¹³ ICC-01/05-01/08-981-Conf-Exp-Anx15, pages 9 to 11; 18.

Nevertheless, the Chamber considers that the application is coherent, that the applicant notably claimed that the MLC troops of Jean-Pierre Bemba, who were speaking Lingala, remained in the area for several months in [REDACTED] and that such event is also mentioned by several others applications for participation.¹⁴ Thus, the Chamber is of the view that, under these circumstances, such shortcoming in the application form should not serve to exclude the applicant's claim for alleged events that occurred over seven years ago.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that as soon as she heard that assailants from Congo, whom she also refers to as the Banyamulengués, arrived in the [REDACTED] area of [REDACTED] she fled to the bush leaving behind all her belongings. She claims that her flight lasted from the end of October 2002 to 15 March 2003 at which time she returned to her house. She alleges that, upon her return, she realised her material loss and she mentions that her house was burnt. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶

¹⁴ See for example [REDACTED]

¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx16; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 397 to 398.

¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx16, pages 9 to 11.

Analysis and conclusions

The Chamber notes that the applicant only provided a vaccination card as proof of her identity. The Chamber recalls that such document has been rejected as proof of identity.¹⁷ Accordingly, the Chamber is of the view that the identity of the applicant has not been established, thus her application for participation is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that between mid-November 2002 and 15 March 2003, as the rest of the population of [REDACTED] he fled to the bush while leaving behind his belongings in his house. He claims that upon his return to the [REDACTED] area of [REDACTED] on 15 March 2003 he found that his house and all his belongings inside were burnt. He further states that his livestock had been eaten. The applicant identifies the Banyamulengués as responsible for these alleged events. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹

Analysis and conclusions

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

In the instant case, the Chamber observes that the applicant has not indicated that his belongings were pillaged before his house was burnt. Therefore, the

¹⁷ Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017, paragraph 42.

¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx17; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 398 to 399.

¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx17, pages 9 to 11.

harm alleged as a result of the destruction by fire of his house and of the belongings therein will not be assessed by the Chamber. Nevertheless, the Chamber will assess the harm suffered from the loss of his livestock which was not burnt in the house.

Accordingly, 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 livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], on an unspecified date, between mid-November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that while he was absent from his house, he heard that foreign soldiers from the DRC who were speaking Lingala camped in the [REDACTED] area of [REDACTED] for months, between November 2002 and 15 March 2003. His wife and children who were still there fled to the bush leaving behind their belongings and livestock. He claims that they were consequently pillaged by the assailants in their absence. The applicant further lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹

Analysis and conclusions

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

²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx18; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 400 to 401.

²¹ ICC-01/05-01/08-981-Conf-Exp-Anx18, pages 9 to 11.

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] [REDACTED] on an unspecified date between November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he heard from Bangui that the Congolese assailants were dangerous. He claims that as a result, as soon as they arrived in [REDACTED] he fled with his family to the fields, leaving behind him his merchandise and other belongings. He alleges that upon his return in the [REDACTED] area of [REDACTED] he noted that his merchandise and other belongings, which he lists and values in part, were pillaged. He further states that these alleged events occurred when he was fleeing and in any event between 25 October 2002 and 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.²³

Analysis and conclusions

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

The Chamber 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

²² ICC-01/05-01/08-981-Conf-Exp-Anx19; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 402 to 403.

²³ ICC-01/05-01/08-981-Conf-Exp-Anx19, pages 9 to 11.

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] [REDACTED] on an unspecified date between 25 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that from December 2002 to 13 March 2003, the MLC men, whom she also refers to as the Banyamulengués, spread panic among the population in his village of [REDACTED] near [REDACTED]. He claims that as a result, most of the inhabitants of the village, including him, fled and left behind all their belongings. He states that during this period, these assailants pillaged his belongings which he lists. As a result of the alleged events, the applicant claims to have suffered material harm.²⁵

Analysis and conclusions

The Chamber considers that the 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 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 [REDACTED] near [REDACTED] on an unspecified date between December 2002 and 13 March 2003.

²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx20; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 404 to 405.

²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx20, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that from December 2002 to 15 March 2003, the Banyamulengués camped in her village of [REDACTED] near [REDACTED] because there were many animals. She claims that she had fled with her family into the bush and that in their absence her goods and livestock were pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷

Analysis and conclusions

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

The Chamber is of the view 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 has 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] near [REDACTED] on an unspecified date between December 2002 and 13 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, between the end of October 2002 and 15 March 2003, while he was away from his house in the [REDACTED] area of [REDACTED] his

²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx20; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 404 to 405.

²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx20, pages 9 to 11.

²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx22; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 409 to 410.

belongings and livestock were pillaged by men who arrived from the opposite bank of the river, whom he names as the Banyamulengués. He claims that he noted the pillage of his belongings and livestock as well as the destruction of his house upon his return after 15 March 2003. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on the basis that he 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] [REDACTED] on an unspecified date between the end of October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in December 2002 the Banyamulengués coming from the DRC took control over his village [REDACTED]. He claims that they chose his village to camp in order to obtain fresh supplies. He adds that he fled leaving behind him his house, belongings and livestock. He states that they pillaged his

²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx22, pages 9 to 11.

³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx23; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 410 to 411.

belongings, livestock and burnt his house. As a result of the alleged events, the applicant claims to have suffered material harm.³¹

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] near [REDACTED] on an unspecified date as of December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that after the December 2002's celebrations, the Banyamulengués of the MLC took control over his village [REDACTED] near [REDACTED] in order to obtain fresh supplies. He claims that they frightened the population by shooting in the air and subsequently camped in the village. He alleges that he fled leaving behind his belongings and livestock which were then pillaged in his absence. As a result of the alleged events, the applicant claims to have suffered material harm.³³

Analysis and conclusions

³¹ ICC-01/05-01/08-981-Conf-Exp-Anx23, pages 9 to 11.

³² ICC-01/05-01/08-981-Conf-Exp-Anx24; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 412 to 413.

³³ ICC-01/05-01/08-981-Conf-Exp-Anx24, pages 9 to 11.

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] near [REDACTED] on an unspecified date after the December 2002's celebrations.

Applicant [REDACTED]

Claim to victim status

The applicant states that after the December 2002's celebrations, the MLC troops from the DRC took control over his village [REDACTED] near [REDACTED]. He claims that while he took his belongings with him to the bush, he left behind his livestock which was subsequently eaten by the assailants. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵

Analysis and conclusions

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

The Chamber 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 livestock by the Banyamulengués of Jean-

³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx25; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 414 to 415.

³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx25, pages 9 to 11.

Pierre Bemba in [REDACTED], near [REDACTED] on an unspecified date after the December 2002's celebrations.

Applicant [REDACTED]

Claim to victim status

The applicant states that after the 1 December 2002's celebrations, the armed men of the MLC, coming from the other side of the bank and speaking Lingala, camped in his village of [REDACTED] near [REDACTED] to obtain fresh supplies. He claims that he took with him some his belongings and fled to the bush. He nevertheless alleges that during these events, he lost his livestock and goods which were in his house. As a result of the alleged events, the applicant claims to have suffered material harm.³⁷

Analysis and conclusions

The Chamber notes an inconsistency between the year of birth as appearing in the application form ("1981") and in the excerpt of birth certificate attached thereto ("1989"). However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, including the age mentioned in the application form ("21"), the Chamber is satisfied that the identity of the applicant is sufficiently established.

Accordingly, 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 and livestock by the

³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx26; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 416 to 417.

³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx26, pages 9 to 11.

Banyamulengués of Jean-Pierre Bemba in ████████ near ████████ on an unspecified date after the 1 December 2002's celebrations.

Applicant ████████

Claim to victim status

The applicant states that after the 1 December 2002's celebrations, Mr Bemba's men came from the other bank of the river and chose his village to camp. He claims that they frightened the population by shooting in the air, as a result of which the villagers, including him, fled. He points out that he left his belongings in his house in ████████ village. He alleges that the assailants pillaged his belongings in his absence. As a result of the alleged events, the applicant claims to have suffered material harm.³⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on the basis that he 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 ████████ near ████████ on an unspecified date after the 1 December 2002's celebrations.

³⁸ ICC-01/05-01/08-981-Conf-Exp-Anx27; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 418 to 419.

³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx27, pages 9 to 11.

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

The applicant states that the MLC armed men coming from the DRC arrived in [REDACTED] at the end of October 2002. He claims that as soon as he heard that they were committing pillage in [REDACTED] he decided to flee from his village of [REDACTED] and to take refuge in the bush with his belongings, with the exception of his livestock. He adds that the assailants pillaged his livestock in his absence and that this occurred between 3 December 2002 and 12 March 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴¹

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] near [REDACTED] on an unspecified date between 3 December 2002 and 12 March 2003.

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

⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx28; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 420 to 421.

⁴¹ ICC-01/05-01/08-981-Conf-Exp-Anx28, pages 9 to 11.

⁴² ICC-01/05-01/08-981-Conf-Exp-Anx29; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 422 to 423.

The applicant states that he was leaving in [REDACTED] village at the time of the alleged events and that he did not expect the assailants to also camp in his village. He claims that when the armed troops coming from the DRC arrived in his village, he and his family fled to the bush leaving behind them their livestock, which was subsequently pillaged. He further states that his manioc field was destroyed and two of his beds were pillaged. 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 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 and livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] near [REDACTED] on an unspecified date between the 1 December 2002's celebrations and 12 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that sometimes around December 2002 onwards, due to the fact that there was a supply of livestock in his village of [REDACTED] near [REDACTED] the rebels from the DRC, the Banyamulengués, decided to set up a camp there. The applicant alleges that he was tortured and that he fled with his family,

⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx29, pages 9 to 11.

⁴⁴ ICC-01/05-01/08-981-Conf-Exp-Anx30; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 424 to 425.

leaving behind his belongings. He claims the loss of his livestock. As a result of the alleged events, the applicant claims to have suffered physical and material and harm.⁴⁵

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 livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date sometimes around December 2002 onwards.

Applicant [REDACTED]

Claim to victim status

The applicant states that from 3 December 2002 until 12 March 2003, Congolese armed men, also referred to as the Banyamulengués, camped in his village of [REDACTED] near [REDACTED]. He claims that they chose his village in order to obtain fresh supplies. He adds that he fled to the bush leaving behind his house and belongings which were subsequently pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷

Analysis and conclusions

⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx30, pages 9 to 11.

⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx31; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 426 to 427.

⁴⁷ ICC-01/05-01/08-981-Conf-Exp-Anx31, pages 9 to 11.

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] [REDACTED] on an unspecified date between 3 December 2002 and 12 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant, who lived in the [REDACTED] area at the time of the events, states that as soon as they heard about the presence of the Congolese troops in [REDACTED] they fled hurriedly to the bush. The applicant claims that when he returned home, he noted the loss of his belongings and animals and he states that they were stolen in his absence by the MLC men of Jean-Pierre Bemba sometimes between November 2002 and 15 March 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹

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

⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx32; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 428 to 429.

⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx32, pages 9 to 11.

that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings and livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 6 February and 12 March 2003, the rebels, the Sarawi and the Banyamulengués carried out house-to-house searches in [REDACTED] and in the surrounding areas while the population sought refuge in the bush. He claims that they pillaged several houses including his own house. The applicant further lists his loss and alleges health problems as a result of the period spent in the bush. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵¹

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. Therefore the Chamber considers that the identity of the applicant is sufficiently demonstrated.

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

⁵⁰ ICC-01/05-01/08-981-Conf-Exp-Anx45; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 430 to 431.

⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx45, pages 9 to 11.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 6 February and 12 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he was in [REDACTED] to sell his products when he was surprised by the events and tried to find a way back to his village. He claims that on 14 March 2003, on his way back, the vehicle which he was travelling in was stopped by the Banyamulengués who threatened the passengers and searched their pockets. He adds that they accused him of being a Chadian rebel and they beat, tortured and undressed him. He further states that 2 Banyamulengués took him behind the house in order to kill him. While this was happening, other Banyamulengués stole his belongings and money. The driver intervened to prevent the killing of the applicant, who was finally left alive. The applicant also states that they Banyamulengués took his cows. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵³

Analysis and conclusions

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

The Chamber notes that the applicant gave two slightly different dates for the alleged events. He indeed claims that the events occurred on 12 March 2003 at page 9 and on 14 March 2003 at page 19 of his application. The Chamber further observes that it seems on page 9 that the applicant hesitated between 12 and 14

⁵² ICC-01/05-01/08-981-Conf-Exp-Anx46; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 432 to 433.

⁵³ ICC-01/05-01/08-981-Conf-Exp-Anx46, pages 9 to 11; 19.

March 2003. 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, such inaccuracy as to the exact date of the events should not serve to exclude the applicant.

Accordingly, 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 12 or 14 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 12 February 2003, in [REDACTED] and its surrounding areas, the Banyamulengués committed acts of pillage. He claims that his house was pillaged by the Banyamulengués. He lists in his application form the stolen belongings and he further attaches an official report from a national civil tribunal also listing the stolen items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁵

Analysis and conclusions

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

The Chamber notes that the applicant attached to the form an official report from a national civil tribunal (*Procès verbal de constat*). It observes that according to this

⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx47; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 434 to 435.

⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx47, pages 9 to 11; 18 to 19.

official report, it is the applicant's father who claimed the loss of the listed belongings.

In light of this document and as no allegation of the death of the applicant's father has been made, the Chamber has no proof to establish the personal loss allegedly suffered by the applicant. Accordingly, his application for participation in the present case is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that the events resulted from successive attacks of the troops of Banyamulengués, Mai-Mai, Rwandan and Chadian rebels which caused material and financial harm as well as human loss. The applicant claims that the Congolese rebels carried out pillages from February 2003 to 12 March 2003 in [REDACTED] and its surrounding areas. He states that such pillages, including his house and livestock, occurred when the population sought refuge in the countryside. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and 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 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

⁵⁶ ICC-01/05-01/08-981-Conf-Exp-Anx48; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 436 to 437.

⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx48, pages 9 to 11; 19.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between February 2003 and 14 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, between 8 and 12 March 2003, the Banyamulengués along with Sarawi rebels were waging war in the [REDACTED] area. He alleges that, while the population fled to seek refuge, they pillaged the houses, including his own, in the [REDACTED] area as well as in other areas of [REDACTED]. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁹

Analysis and conclusions

Although the day of birth does not clearly appear on the application form, the Chamber notes that the remainder of the information is consistent between the application form and the birth certificate excerpt attached thereto. The Chamber thus considers that the documents provided sufficiently demonstrate the identity of the applicant.

Accordingly, 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] between 8 and 12 March 2003.

⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx49; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 438 to 439.

⁵⁹ ICC-01/05-01/08-981-Conf-Exp-Anx49, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 17 February 2003, on his way from Bangui to [REDACTED] the pick up truck in which he was travelling with other passengers was stopped by rebels. He claims that these rebels asked the passengers to get off the truck and subsequently they stole his money as well as his belongings. He adds that they then forced the passengers to lie down on the ground and 3 of the rebels beat the applicant with the butts of their guns. The applicant names the militia men of Jean-Pierre Bemba as being responsible for these events. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁶¹

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 pillage to the extent of his belongings by the Banyamulengués of Jean-Pierre Bemba on the road to [REDACTED] on 17 February 2003.

Applicant [REDACTED]

Claim to victim status

⁶⁰ ICC-01/05-01/08-981-Conf-Exp-Anx50; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 440 to 441.

⁶¹ ICC-01/05-01/08-981-Conf-Exp-Anx50, pages 9 to 11; 21 to 27.

⁶² ICC-01/05-01/08-981-Conf-Exp-Anx77; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 442 to 443.

The applicant states that on 13 February 2003, seven Banyamulengués entered her house, located in the [REDACTED] area of [REDACTED] tortured her and shot at the roof. She claims that after she had given them a sum of money, they let them go. She also alleges that they wanted to shoot her son, but she protected him. The applicant claims that they pillaged her house and killed her animals and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶³

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that between December 2002 and March 2003, [REDACTED] was first invaded by the Sarawi soldiers, who set up their base at the [REDACTED] and at the [REDACTED] roundabout. Then, the Banyamulengués arrived and pillaged belongings, killed animals and inflicted violence upon people. The applicant

⁶³ ICC-01/05-01/08-981-Conf-Exp-Anx77, pages 9 to 11.

⁶⁴ ICC-01/05-01/08-981-Conf-Exp-Anx78; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 444 to 445.

claims that his cattle have been pillaged and he appends an official document attesting to the theft. He also mentions that his nephew died. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁵

Analysis and conclusions

The Chamber notes that the document attached to the application, a nationality certificate, does not state the applicant's date of birth. However, given that this document was issued upon the consideration of the applicant's birth certificate, the Chamber considers that the identity of the applicant is sufficiently established. Furthermore, in the absence of any document demonstrating the identity of his nephew and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his oxen 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 during December 2002 and March 2003 there were five or six clashes between the Banyamulengués and Bozizé's troops in [REDACTED] She

⁶⁵ ICC-01/05-01/08-981-Conf-Exp-Anx78, pages 9 to 11, 18 to 19.

⁶⁶ ICC-01/05-01/08-981-Conf-Exp-Anx79; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 446 to 447.

alleges that the Banyamulengués invaded ██████ pillaged and destroyed houses, killed animals, murdered people and controlled everything. The applicant lists and values her lost belongings and livestock. She claims that the alleged events occurred in particular on 6 December 2002, 13 February and 12 Mars 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁷

Analysis and conclusions

The Chamber notes that the document attached to the application form, a nationality certificate, does not state the applicant's date of birth. However, given that this document was issued upon the consideration of the applicant's birth certificate, the Chamber considers that the identity of the applicant is sufficiently established. Furthermore, in the absence of any document demonstrating the identity of her nephew and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date between December 2002 and March 2003.

Applicant ██████

Claim to victim status

⁶⁷ ICC-01/05-01/08-981-Conf-Exp-Anx79, pages 9 to 11.

⁶⁸ ICC-01/05-01/08-981-Conf-Exp-Anx80; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 448 to 449.

The applicant states that in December 2002 the Sarawi occupied [REDACTED]. He further claims that in January 2003 the Banyamulengués invaded [REDACTED] and the clashes between the two groups began. He states that the Congolese rebels occupied the [REDACTED] area of [REDACTED] but then the Tchadian rebels reconquered the area and its surroundings. The applicant states that the pillages occurred between February and 14 March 2003 and that responsible for the events is 'the person who sent and gave orders to the Sarawi, Banyamulengués, Mai-Mai, etc.' The applicant lists and values his lost belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹

Analysis and conclusions

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

The Chamber notes that the applicant refers to different warring groups, including the Banyamulengués, the Sarawi and the Tchadian rebels and that he claims that responsible for the events is 'the person who sent and gave orders to the Sarawi, Banyamulengués, Mai-Mai, etc.' However, given that the Banyamulengués are included in the claim provided by the applicant, and although the responsibility of others cannot be discounted, the Chamber is of the view that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between February and Mars 2003.

⁶⁹ ICC-01/05-01/08-981-Conf-Exp-Anx80, pages 9 to 11.

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

The applicant states that in the beginning of January 2003, the Sarawi soldiers, under the command of lieutenant Jean-Baptiste, and the troops of Miskine came to [REDACTED] and they were followed by the Banyamulengués, Mai-Mai and the Rwandan troops of Bemba, who pillaged goods, killed animals and murdered people. The applicant claims that the events occurred on 13 February 2003 and that the gun shots of the Congolese rebels and Sarawi soldiers determined the population to flee to the fields. The applicant lists his belongings, allegedly pillaged by Jean-Pierre Bemba's army, the Banyamulengués. According to the applicant, the person responsible for these events is the one who ordered the troops do act in such a manner. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷¹

Analysis and conclusions

The Chamber notes that the document attached to the application form, a nationality certificate, does not state the applicant's date of birth. However, given that this document was issued upon the consideration of the applicant's birth certificate, the Chamber considers that the identity of the applicant is sufficiently established.

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

⁷⁰ ICC-01/05-01/08-981-Conf-Exp-Anx81; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 450 to 451.

⁷¹ ICC-01/05-01/08-981-Conf-Exp-Anx81, pages 9 to 11, 19.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that the events started in mid-January and that the acts of pillage and the murders were committed from 12 February to 12 Mars 2003. He claims that because of these events the local population fled. He also states that his livestock was killed when the Banyamulengués and the Sarawi invaded [REDACTED]. He further claims that his belongings, that he lists and values, were pillaged by the Banyamulengués and the Sarawi troops and that his house was set on fire. The applicant says that responsible for the events is Jean-Baptiste, the chief of the Sarawi- Banyamulengués troops. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷³

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 notes that the applicant claims that his goods were pillaged by the Banyamulengués and the Sarawi and that the person responsible for these events is 'Jean-Baptiste, the chief of the Sarawi- Banyamulengués troops'. However,

⁷² ICC-01/05-01/08-981-Conf-Exp-Anx82; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 452 to 453.

⁷³ ICC-01/05-01/08-981-Conf-Exp-Anx82, pages 9 to 11, 20.

given that the Banyamulengués are included in the claim provided by the applicant, and although the responsibility of others cannot be discounted, the Chamber is of the view that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ between 12 February and 12 Mars 2003.

Applicant ██████████

Claim to victim status

The applicant states that, from December 2002 to March 2003, in ██████████ and the surrounding areas, there were clashes between the rebel troops from the DRC and Bozizé's troops. He claims that the perpetrators of crimes against the civilian population were the Banyamulengués and that they murdered civilians, killed animals and pillaged houses, in particular on 13 February 2003 and 12 March 2003. The applicant claims that he lost a sum of money and veterinary products. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁵

Analysis and conclusions

The Chamber notes a slight discrepancy regarding the composition of the applicant's name as appearing on the application form and the birth certificate attached thereto, as well as a slight discrepancy between the names of the applicant's mother as appearing on the abovementioned documents. However,

⁷⁴ ICC-01/05-01/08-981-Conf-Exp-Anx83; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 454 to 455.

⁷⁵ ICC-01/05-01/08-981-Conf-Exp-Anx83, pages 9 to 11.

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 changes in the applicant's civil status or 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 between December and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that from December 2002 to March 2003, [REDACTED] and its surrounding areas were under the attack of the Banyamulengués, who were fighting against the troops of Bozizé. She claims that the Banyamulengués pillaged and destroyed houses and committed murders, in particular between 13 February and 12 Mars 2003. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁷

Analysis and conclusions

⁷⁶ ICC-01/05-01/08-981-Conf-Exp-Anx84; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 456 to 457.

⁷⁷ ICC-01/05-01/08-981-Conf-Exp-Anx84, pages 9 to11, 19.

The Chamber considers that the 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 between 13 February and 12 Mars 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that between December 2002 and March 2003, in [REDACTED] and its surrounding areas, clashes occurred between the Congolese rebels, known as the Banyamulengués, and the troops of Bozizé. He claims that the Banyamulengués pillaged and destroyed houses, killed animals and murdered people, in particular on 6 December 2002, 13 February and 12 March 2003. The applicant lists and values his lost belongings. As a result of the alleged events, the applicant claims to have suffered psychological and 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

⁷⁸ ICC-01/05-01/08-981-Conf-Exp-Anx85; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 458 to 459.

⁷⁹ ICC-01/05-01/08-981-Conf-Exp-Anx85, pages 9 to 11, 18.

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 the Sarawi soldiers arrived in [REDACTED] in November 2002 and they were followed by Bozizé's rebels, who arrived in December 2002, when the clashes started. She further claims that later, following two attacks by Bozizé's rebels on the Sarawi, the Banyamulengués invaded [REDACTED] and set up their base at the [REDACTED] and other strategic points. She alleges that between 13 February 2002 and 12 Mars 2003, they pillaged and destroyed houses, killed animals and murdered civilians. The applicant lists and values her loss and she also claims that a child died, without providing further information. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸¹

Analysis and conclusions

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

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

⁸⁰ ICC-01/05-01/08-981-Conf-Exp-Anx86; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 460 to 461.

⁸¹ ICC-01/05-01/08-981-Conf-Exp-Anx86, pages 9 to 11.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 13 February 2002 and 12 Mars 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 or 14 February 2003, a group of armed men speaking Lingala intercepted him in the [REDACTED] area of [REDACTED] and threatened him. He claims that one of the men undressed him, while the others entered his house and pillaged all his belongings, which he lists and values. The applicant states that the responsible for the events is the former CAR government because they asked for the intervention of the army of Jean-Pierre Bemba. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 13 or 14 February 2003.

⁸² ICC-01/05-01/08-981-Conf-Exp-Anx87; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 462 to 463.

⁸³ ICC-01/05-01/08-981-Conf-Exp-Anx87, pages 9 to 11, 18.

Applicant [REDACTED]

Claim to victim status

The applicant states that from December 2002 to March 2003, in [REDACTED] and its surrounding areas, clashes occurred between the Congolese rebels, known as the Banyamulengués, and the troops of general Bozizé. He claims that between January and March 2003, and in particular on 13 February and 12 March 2003, the Congolese rebels pillaged and destroyed houses and committed murders. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁵

Analysis and conclusions

The Chamber notes a ten years discrepancy between the applicant's approximate age 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 and the certificate of nationality 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 13 or 14 February 2003 on an unspecified date between 13 February and 12 March 2003.

⁸⁴ ICC-01/05-01/08-981-Conf-Exp-Anx88; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 464 to 465.

⁸⁵ ICC-01/05-01/08-981-Conf-Exp-Anx88, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that, in December 2002, the Sarawi rebels invaded [REDACTED] and its surrounding areas and, after the attacks of the Sarawi troops and of the Chadian rebels, in January 2003, the Banyamulengués came to [REDACTED] and committed pillage and murders. She further claims that at the beginning of February, a second contingent of Banyamulengués came, and, between 12 February and 14 March 2003, they carried out pillage, destruction and murders, which determined the local population to flee. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological 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 that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 12 February and 14 March 2003.

⁸⁶ ICC-01/05-01/08-981-Conf-Exp-Anx89; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 466 to 467.

⁸⁷ ICC-01/05-01/08-981-Conf-Exp-Anx88, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that in the beginning of January 2003, the Sarawi soldiers under the command of lieutenant Jean-Baptiste of the Miskine troop arrived in [REDACTED]. She claims that after the clash between the troops of General Bozizé and the Sarawi, the Banyamulengués arrived in [REDACTED] and the pillaging started in all areas and in every single house. The applicant further claims that the population fled. She lists and values her lost belongings. She further states that the Banyamulengués stole a sum of money and that her sister was killed. According to the applicant, the military chief of the Banyamulengués, Sarawi and Rwandan troops is responsible for these events. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁹

Analysis and conclusions

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

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

⁸⁸ ICC-01/05-01/08-981-Conf-Exp-Anx90; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 468 to 469.

⁸⁹ ICC-01/05-01/08-981-Conf-Exp-Anx90, pages 9 to 11, 18.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, after the Chadian rebels retreated to [REDACTED] the Banyamulengués invaded [REDACTED]. He claims that they came to his house, located in the [REDACTED] area of [REDACTED] and pillaged his belongings. The applicant appends an official document in which his loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered psychological 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 the [REDACTED] area of [REDACTED] on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, the Banyamulengués committed pillages, burned houses and killed animals. The applicant draws a sketch of the

⁹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx91; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 470 to 471.

⁹¹ ICC-01/05-01/08-981-Conf-Exp-Anx91, pages 9 to 11, 19.

⁹² ICC-01/05-01/08-981-Conf-Exp-Anx92; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 472 to 473.

alleged location of the events. This sketch mentions the [REDACTED]. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹³

Analysis and conclusions

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

The Chamber notes that the applicant fails to provide the precise location of the events. However, the sketch drawn by the applicant shows the [REDACTED], which indicates that the events occurred in [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 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 15 January 2003, on his way back from [REDACTED] he was driving his pick-up truck when, in [REDACTED] he was stopped by the Banyamulengués. He claims that all his goods and merchandise, as well as the luggage of the other passengers were pillaged. The applicant also states that the

⁹³ ICC-01/05-01/08-981-Conf-Exp-Anx92, pages 9 to 11.

⁹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx110; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 474 to 475.

Banyamulengués took the car. He values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁹⁵

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 February 2003, he was on his way back from [REDACTED] when, in [REDACTED] he and some other passengers fell in the hands of the Banyamulengués. He claims that they asked him to step out of the vehicle in front of their check point and took him to a tent where they hit him with a stick and their military belts. He says that he fell unconscious for 24 hours and that they pillaged all his belongings, including his car, money and clothes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁷

Analysis and conclusions

⁹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx110, pages 9 to 11.

⁹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx123; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 476 to 477.

⁹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx123, pages 9 to 11.

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 20 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 21 February 2003, the Banyamulengués invaded the area of [REDACTED] of [REDACTED] [REDACTED] *arrondissement*. She alleges that they raped her, burned her house and took her sewing machine. She also claims that they looted her husband's moped. As a result of the alleged events, the applicant claims to have suffered physical, psychological and 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 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

⁹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx141; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 478 to 479.

⁹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx141, pages 9 to 11.

Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] [REDACTED] [REDACTED] *arrondissement* on 21 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 February 2003, the Banyamulengués invaded the [REDACTED] area of [REDACTED]. She alleges that they raped her, and burned her house and her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰¹

Analysis and conclusions

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

The Chamber notes that the applicant states that her belongings were destroyed through fire and does not submit that her belongings were pillaged before the house was burned. For this reason, only the alleged rape will be considered for the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 20 February 2003.

¹⁰⁰ ICC-01/05-01/08-981-Conf-Exp-Anx142; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 480 to 481.

¹⁰¹ ICC-01/05-01/08-981-Conf-Exp-Anx142, pages 9 to 11.

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

The applicant states that on 10 November 2002, she was at her aunt's house, located in [REDACTED]. She claims that her aunt gave her money to go to Bangui and, in [REDACTED] at the checkpoint of [REDACTED] she and the other passengers were intercepted by the Banyamulengués of Jean Pierre Bemba, who took her personal belongings and those of her aunt. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 10 November 2002.

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

The applicant states that on 14 January 2003 she was returning from [REDACTED] [REDACTED] to Bangui when the MLC troops of Jean-Pierre Bemba stopped her vehicle in [REDACTED]. She alleges that they looted her property, including her

¹⁰² ICC-01/05-01/08-981-Conf-Exp-Anx145; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 482 to 483.

¹⁰³ ICC-01/05-01/08-981-Conf-Exp-Anx145, pages 9 to 11, 19.

¹⁰⁴ ICC-01/05-01/08-981-Conf-Exp-Anx209; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 484 to 485.

merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 January 2003, while he was returning from [REDACTED] to Bangui, he was stopped by the Banyamulengués in [REDACTED]. He alleges that they proceeded to loot his property and beat him. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁰⁷

Analysis and conclusions

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

¹⁰⁵ ICC-01/05-01/08-981-Conf-Exp-Anx209, pages 9 to 11.

¹⁰⁶ ICC-01/05-01/08-981-Conf-Exp-Anx215; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 486 to 487.

¹⁰⁷ ICC-01/05-01/08-981-Conf-Exp-Anx215, 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 18 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 January 2003, when he was driving back from [REDACTED] to Bangui, his truck was stopped by the Banyamulengués in [REDACTED]. He alleges that the Banyamulengués looted all his belongings and his merchandise, including the truck. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁹

Analysis and conclusions

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

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

¹⁰⁸ ICC-01/05-01/08-981-Conf-Exp-Anx220; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 488 to 489.

¹⁰⁹ ICC-01/05-01/08-981-Conf-Exp-Anx220, pages 4 to 5.

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

The applicant states that in December 2002, in [REDACTED] her husband, who was a doctor, was taken hostage by the militia of Mr Bemba. She claims that one night, due to increasing threats, she fled to the bush, together with her family. She contends that during their absence, the soldiers pillaged all the belongings of the family, including a sum of money and surgical instruments. She appends a document in which she lists the lost belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹¹

Analysis and conclusions

The Chamber considers that the 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 family's house, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in December 2002.

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

¹¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx223; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 490 to 491.

¹¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx, pages 4 to 5, 8.

¹¹² ICC-01/05-01/08-981-Conf-Exp-Anx224; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 492 to 493.

The applicant claims that on 13 February 2003, at a time when [REDACTED] was under the control of the Banyamulengués, she fled 50 km away from her home, together with her family. She asserts that during her absence, on 14 February 2003, the Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] [REDACTED] and pillaged her belongings, which she lists and values. She contends that Ange Felix Patassé is the principal responsible for these events as he is the one who had sent the Banyamulengués to harm the civilian population. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹³

Analysis and conclusions

The Chamber considers that the 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] [REDACTED] on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 February 2003, the Banyamulengués entered his compound, located in the [REDACTED] area, fired three bullets in the air and started searching the property. The applicant was hiding at 10 metres away from the

¹¹³ ICC-01/05-01/08-981-Conf-Exp-Anx224, pages 9 to 11.

¹¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx225; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 494 to 495.

house and thus observed that they pillaged his property. He adds that they came back later and shot his pigs and goats which they took to their base. He appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁵

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 February 2003, seven Banyamulengués entered his compound, which is located in the [REDACTED] area. They fired three shots in the air and threatened his family. The applicant was hiding in the bathroom and thus observed how the Banyamulengués entered and pillaged his family's house. He appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁷

¹¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx225, pages 9 to 11, 18 to 19.

¹¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx227; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 496 to 497.

¹¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx227, pages 9 to 11, 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 accused, namely the pillage of his family's house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 14 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, three Banyamulengués entered his house which is located in the [REDACTED] area. He contends that the Banyamulengués pillaged his belongings and shot the animals. He appends a document in which he lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁹

Analysis and conclusions

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

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

¹¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx228; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 498 to 499.

¹¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx228, pages 9 to 11, 18.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his family's house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, five Banyamulengués came to his house, which is located in the [REDACTED] area. He contends that they threatened and severely beat him. When he replied "*pas d'argent*" upon their request to given them money, they shot in the air and looted his belongings which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²¹

Analysis and conclusions

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

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

Applicant [REDACTED]

¹²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx229; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 500 to 501.

¹²¹ ICC-01/05-01/08-981-Conf-Exp-Anx229, pages 9 to 11.

¹²² ICC-01/05-01/08-981-Conf-Exp-Anx230; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 502 to 503.

Claim to victim status

The applicant states that on 13 February 2003, six Banyamulengués entered his house, which is located in the [REDACTED] area. He contends that they threatened him and his family and pillaged his belongings, which he lists and values. He further states that they burned his house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²³

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, four Banyamulengués entered his house, located in the [REDACTED] and [REDACTED] areas, inflicted violence upon him and his family and pillaged his belongings. When they left to pillage the house of the neighbours, the applicant fled to the fields, together with his family. He appends

¹²³ ICC-01/05-01/08-981-Conf-Exp-Anx230, pages 9 to 11.

¹²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx231; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 504 to 504.

a document in which he lists the loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁵

Analysis and conclusions

The Chamber considers that the 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] and [REDACTED] areas on 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, when the entire population had fled [REDACTED] due to the occupation by the Banyamulengués, the Banyamulengués pillaged his house which is located in the [REDACTED] area. He appends a document in which he lists and values the loss.

As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²⁷

Analysis and conclusions

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

¹²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx, pages 9 to 11.

¹²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx232; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 506 to 507.

¹²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx232, pages 9 to 11, 19.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 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 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, eight Banyamulengués entered her place of residence, which is located in the [REDACTED] area of [REDACTED] threatened her, searched the house and pillaged a sum of money and some of her belongings, which she lists in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁹

Analysis and conclusions

The Chamber considers that the 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 February 2003.

¹²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx236; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 508 to 509.

¹²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx236, pages 9 to 11, 18.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 February 2003, six Banyamulengués entered his compound, which is located in the [REDACTED] area, threatened him with their guns and pillaged everything they could find in and outside the house. He further states that he was subjected to beatings and torture and that two of his relatives died due to lack of food during their forced displacement. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, five armed men (Banyamulengués) entered his house, which is located in the [REDACTED] area, inflicted violence upon

¹³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx237; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 510 to 511.

¹³¹ ICC-01/05-01/08-981-Conf-Exp-Anx237, pages 9 to 11.

¹³² ICC-01/05-01/08-981-Conf-Exp-Anx238; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 512 to 513.

him and his family and then pillaged his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹³³

Analysis and conclusions

The Chamber considers that the 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 13 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 February 2003, in the [REDACTED] area, the Banyamulengués entered his place of residence, threatened him and pillaged all his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁵

Analysis and conclusions

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

¹³³ ICC-01/05-01/08-981-Conf-Exp-Anx238, pages 9 to 11.

¹³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx240; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 515 to 516.

¹³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx240, 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 14 February 2003.