

ANNEX D

Group D: Mongoumba

- **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 son who mentions that he is also acting on his own behalf.

At the outset, the Chamber notes that the deceased applicant has already been granted the participating status under application number [REDACTED] which was previously introduced on his behalf by his other son who was also granted participating status. The Chamber takes note of the information provided in the present application ([REDACTED]) according to which the son who submitted application [REDACTED] passed away in September 2009 and that the son submitting the present application, [REDACTED], expressed his will to pursue the proceedings instigated by his late brother by acting on behalf of his deceased father and on his own behalf.

It is stated in application [REDACTED] that the militiamen of Jean-Pierre Bemba arrived in [REDACTED] on 5 March 2003. It is contended that they pillaged the applicant's belongings and as he resisted the pillaging the militiamen killed him.³

Analysis and conclusions

¹ ICC-01/05-01/08-981-Conf-Exp-Anx1; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 517 to 518.

² ICC-01/05-01/08-807-Conf-Exp-Anx-Corr, pages 112 and 113.

³ ICC-01/05-01/08-981-Conf-Exp-Anx1, pages 9 to 11.

The Chamber considers that the documents provided in application [REDACTED] and [REDACTED] demonstrate the identity of the applicant, of the person submitting application [REDACTED] as well as their kinship. The Chamber further notes that the death certificate of the person who submitted application [REDACTED] is also provided.

The Chamber underlines that the account of events is consistent with the one provided in application [REDACTED] and accordingly it recalls that it has already found that the information provided on behalf of the applicant is 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 murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in March 2003.⁴

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

Finally, as the applicant has already been granted the participating status under the reference [REDACTED], the Chamber underlines that the reference [REDACTED] shall only be used for the person who submitted the application for participation.

Applicant [REDACTED]

Claim to victim status

⁴ ICC-01/05-01/08-807-Conf-Exp-Anx-Corr, page 113

⁵ ICC-01/05-01/08-981-Conf-Exp-Anx35; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 519 to 520.

The applicant states that on 5 March 2003, when the Banyamulengués rebels of Jean-Pierre Bemba attacked the city of [REDACTED] he fled together with his family, his children and the children of his brothers. He claims that up to 2003, he used to buy supplies in Bangui in order to sell them in [REDACTED] and [REDACTED] (DRC) and vice versa. He alleges that when he returned to the [REDACTED] area, all his goods, stocks and money, which he lists and values in the application, had been pillaged. As a result of the alleged events, the applicant claims to have suffered 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 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 as of 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, he fled with his family to the forest as soon as the Banyamulengués of Jean-Pierre Bemba invaded [REDACTED] He claims that he was a fisherman and a breeder and that he had therefore family

⁶ ICC-01/05-01/08-981-Conf-Exp-Anx35, pages 9 to 11.

⁷ ICC-01/05-01/08-981-Conf-Exp-Anx36; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 521 to 522.

goods and animals. He alleges that when he returned to the [REDACTED] area of [REDACTED] he noted that all these belongings, which he lists and values, had been pillaged. He adds that he was compelled to join his brother in Bangui with whom he is still living. 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 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 as of 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, he fled with his family to the forest when the Banyamulengués occupied [REDACTED] thus leaving behind his belongings. He claims that he had equipments to cultivate a large field and to fish. He lists and values his belongings which he claims to have been pillaged by

⁸ ICC-01/05-01/08-981-Conf-Exp-Anx36, pages 9 to 11.

⁹ ICC-01/05-01/08-981-Conf-Exp-Anx37; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 523 to 524.

the Banyamulengués in the [REDACTED] area of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered 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 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 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he used to undertake a commercial activity between Bangui and [REDACTED] in the DRC. He claims that on 6 March 2003 in [REDACTED] which he also describes as the waters marking the border between the CAR and the DRC, the Banyamulengués, rebels of Jean-Pierre Bemba, intercepted his whaleboat. He alleges that they pillaged his merchandise which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²

Analysis and conclusions

¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx37, pages 9 to 11.

¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx38; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 525 to 526.

¹² ICC-01/05-01/08-981-Conf-Exp-Anx38, pages 9 to 11.

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.¹³ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he used to undertake a commercial activity between Bangui and [REDACTED] in the DRC. He claims that on 6 March 2003 on his way back, his whaleboat was intercepted in [REDACTED] by the Banyamulengués. He claims that they pillaged his money and merchandise, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵

Analysis and conclusions

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

¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx39; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 527 to 528.

¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx39, pages 9 to 11.

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.¹⁶ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he used to undertake commercial activities between Bangui and [REDACTED] in the DRC. He claims that on 6 March 2003, in [REDACTED] which he also described as the waters marking the border between the CAR and the DRC, the Banyamulengués, rebels of Jean-Pierre Bemba, intercepted his whaleboat. He alleges that they pillaged his money and merchandise, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸

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

¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx40; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 529 to 530.

¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx40, pages 9 to 11.

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.¹⁹ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he used to undertake a commercial activity between Bangui and [REDACTED] in the DRC. He claims that on 6 March 2003 in [REDACTED] which he also described as the waters marking the border between the CAR and the DRC, the Banyamulengués, rebels of Jean-Pierre Bemba, intercepted his whaleboat. He alleges that they pillaged his money and merchandise, which he

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

²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx41; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 531 to 532.

lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.²² In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that as he was unable to pay for school expenditure, he used to undertake commercial activities between Bangui and [REDACTED] in the DRC. He claims that on 6 March 2003 in [REDACTED] which he also described as the waters marking the border between the CAR and the DRC, the Banyamulengués

²¹ ICC-01/05-01/08-981-Conf-Exp-Anx41, pages 9 to 11.

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

²³ ICC-01/05-01/08-981-Conf-Exp-Anx42; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 533 to 534.

rebels of Jean-Pierre Bemba, intercepted his whaleboat. He alleges that they pillaged his money and merchandise which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁴

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.²⁵ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that he had employees to cultivate his fields and a store that allowed him to acquire family goods. He claims that the attack of the

²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx42, pages 9 to 11.

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

²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx43; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 535 to 536.

Banyamulengués, rebels of Jean-Pierre Bemba, on [REDACTED] on 5 March 2003 compelled him to leave his house, located in the [REDACTED] area, and to hide with his family in the forest. He states that these rebels pillaged his belongings and stole his money. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on the basis that he 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 as of 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that his activities as a farmer, fisherman and stockbreeder enabled him to acquire goods and animals to support his family. He claims that on 5 March 2003 the Banyamulengués, rebels of Jean-Pierre Bemba, attacked [REDACTED] compelling him and his family to hide in the forest leaving behind all their belongings in the [REDACTED] area. He alleges that they pillaged all his

²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx43, pages 9 to 11.

²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx44; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 537 to 538.

belongings, which he lists and values. 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 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 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, she rented a boat in order to go to [REDACTED] to buy food supplies. Upon her return, in [REDACTED] the boat was intercepted by the Banyamulengués who were looting the village. She states that they requested them to shore on the side of the river located in the DRC and, took the supplies of the crew as well as her money. She further claims that they raped her. Then they took the members of the crew to [REDACTED], where they were released and returned to Bangui. She appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹

²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx44, pages 9 to 11.

³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx149; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 545 to 546.

³¹ ICC-01/05-01/08-981-Conf-Exp-Anx149, pages 9 to 11, 19.

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.³² Given that the applicant clearly states that the alleged criminal acts started in [REDACTED] 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 suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 16 March 2003, he went to [REDACTED] by boat to get food supplies and luggage. Upon his arrival in [REDACTED] the Banyamulengués who were hidden in the island in front of it, took his boat and hit him. He says that there were six soldiers and they made him change his way to take them back to the DRC. He alleges that they raped all the women who were with him and that they pillaged his belongings which he lists and values.

³² ICC-01/05-01/08-1017, paragraph 58.

³³ ICC-01/05-01/08-981-Conf-Exp-Anx160; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 547 to 548.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁴

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, 16 March 2003, falls 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 recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.³⁵ Given that the applicant clearly states that the alleged criminal acts started in [REDACTED] 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 suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] and the Oubangui River on 16 March 2003.

³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx160, pages 9 to 11, 20.

³⁵ ICC-01/05-01/08-1017, paragraph 58.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003 she was travelling by boat from [REDACTED] DRC, to Bangui, and she was stopped by the Banyamulengués in [REDACTED]. She alleges that they looted all her money and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁷

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.³⁸ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. Accordingly, 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 money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx167; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 549 to 550.

³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx167, pages 9 to 11.

³⁸ ICC-01/05-01/08-1017, paragraph 58.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003 she was coming back home by boat from [REDACTED] DRC, to Bangui. She alleges that the boat was seized by the Banyamulengués in [REDACTED] and that they looted all her money and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰

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 recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁴¹ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. Accordingly, 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,

³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx168; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 551 to 552.

⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx168, pages 9 to 11.

⁴¹ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of her money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, while she was travelling from [REDACTED] DRC, to Bangui, her boat was stopped in [REDACTED] by the Banyamulengués who looted her goods, which she lists and values, and took her money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴³

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁴⁴ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. Accordingly, 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,

⁴² ICC-01/05-01/08-981-Conf-Exp-Anx169; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 553 to 554.

⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx169, pages 9 to 11.

⁴⁴ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of her money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003 she was attacked by the Banyamulengués, rebels of Jean-Pierre Bemba, in [REDACTED] while she was coming back by boat from [REDACTED] DRC. She alleges that they stole all her money and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁴⁷ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. Accordingly, 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,

⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx170; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 555 to 556.

⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx170, pages 9 to 11.

⁴⁷ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of her money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, he was navigating back home from [REDACTED] in DRC, when the boat was seized by the Banyamulengués in [REDACTED]. He alleges that they stole his money and merchandise, which he lists and values. 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 recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁵⁰ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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,

⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx171; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 557 to 558.

⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx171, pages 9 to 11.

⁵⁰ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of his money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, she was navigating back home from [REDACTED] in DRC, when in [REDACTED] the boat was attacked by the Banyamulengués. She alleges that they took her money and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵²

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁵³ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. Accordingly, 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,

⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx174; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 559 to 560.

⁵² ICC-01/05-01/08-981-Conf-Exp-Anx174, pages 9 to 11.

⁵³ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of her money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, he was coming back home by boat from [REDACTED] in DRC, to CAR when the boat was assaulted by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]. He alleges that they stole his money and merchandise, which he lists and values. 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 recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.⁵⁶ In the instant case, the Chamber notes that the applicant clearly refers to [REDACTED] as the location of the alleged crimes. 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,

⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx210; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 561 to 562.

⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx210, pages 9 to 11.

⁵⁶ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of his money and merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 6 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 March 2003, when she was coming back home by boat from [REDACTED] DRC, to CAR, her boat was attacked by the Banyamulengués of Jean-Pierre Bemba in [REDACTED]. She alleges that they stole her money and merchandise, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸

Analysis and conclusions

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⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx216; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 563 to 564.

⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx216, pages 9 to 11.

⁵⁹ ICC-01/05-01/08-1017, paragraph 58.

namely the pillage of her money and merchandise by the Banyamulengués of
Jean-Pierre Bemba in [REDACTED] on 6 March 2003.