

ANNEX A

Group A: Bangui/PK12

- **Fourteenth transmission - ICC-01/05-01/08-1854-Conf-Exp-Anxs**

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Wednesday, after the end of the Ramadan and nine years before she filled in the application form, she visited one of her parents and she heard rumors that Mr Bemba's soldiers had invaded PK [REDACTED]. According to the applicant, when she entered her house, located in PK [REDACTED] on the road to [REDACTED], she was intercepted by a group of Banyamulengués and one of them slapped her, whereupon she fell. She further states that they pillaged her property. She lists part of her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²

Analysis and conclusions

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

The Chamber notes that the applicant does not provide a precise date for the alleged events but only mentions that they occurred after the end of the Ramadan and nine years before she filled in the application form. Noting that the application form was filled in 2011 and that in 2002, the Ramadan period covered the timeframe between 27 October and 26 November, the Chamber is satisfied

¹ ICC-01/05-01/08-1854-Conf-Exp-Anx2; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 7 to 8.

² ICC-01/05-01/08-1854-Conf-Exp-Anx2, pages 4 to 5.

that the alleged events fall under the temporal scope of the present case. 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 PK [REDACTED] on an unspecified date as of 26 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, a group of around twenty of Jean-Pierre Bemba's soldiers came to his house, located in [REDACTED] PK [REDACTED] shot at his door, forced the door and told him and his wife and children to leave. He states that he left the house together with his wife and children and they saw them shooting dead a young man whom they took for a Chadian rebel. He adds that he later had to bury the dead body himself. According to the applicant, the soldiers continued to fire bullets above his head and because of the gun powder his sight was affected. He further alleges that the men pillaged his luggage, shot dead his poultry and killed his goats in order to eat them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴

Analysis and conclusions

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

³ ICC-01/05-01/08-1854-Conf-Exp-Anx7; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 9 to 10.

⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx7, pages 4 to 5 and 10.

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

Applicant ██████

Claim to victim status

The applicant states that in January 2003, Jean-Pierre Bemba's troops came to her house, located in the ██████ village, PK ██████, and addressed them in Lingala, a language that they could not understand. According to the applicant, five Banyamulengués threw her on the ground, covered her mouth and three of them raped her in front of her children. She states that seven Banyamulengués pillaged her belongings and that her children were beaten up as well as her husband when he tried to oppose them. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶

Analysis and conclusions

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

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

⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx8; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 11 to 12.

⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx8, pages 4 to 5.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] PK [REDACTED] on an unspecified date in January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 January 2003, in [REDACTED] PK [REDACTED], Jean-Pierre Bemba's Banyamulengués pillaged and destroyed her belongings, raped her youngest daughter, who died six months later, and beat her children. The applicant also describes events that took place on 8 May 2004 and claims that the former liberators of Mr Bozizé's occupied their house and used it as their base and pillaged her belongings. 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. However, in the absence of any document demonstrating the identity of her daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment.

The Chamber further notes that the applicant reports events that occurred on 15 January 2003 and that were allegedly committed by the Banyamulengués as well as events that occurred in May 2004 and allegedly committed by the former liberators of Mr Bozizé. As the latter events fall outside the temporal scope of the

⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx9; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 13 to 14.

⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx9, pages 4 to 5 and 8 to 9.

present case, only the alleged events of January 2003 will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 March 2003, the armed Banyamulengués came to his house, located in the [REDACTED] area of PK [REDACTED] and addressed him in a language he could not understand. He alleges that two soldiers took his thirteen-year-old daughter and raped her in front of him. He adds that his daughter lost a lot of blood and that he had almost committed suicide because he could not stand seeing his daughter in such a condition. The applicant further claims that in the meanwhile seven Banyamulengués pillaged his belongings. He also states that after the events, his daughter died and his wife started suffering from depression. The applicant values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document demonstrating the

⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx10; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 15 to 16.

¹⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx10, pages 4 to 5.

identity of his daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, in PK [REDACTED] when the Banyamulengués were making their way to Bangui shooting their weapons, he decided to take his wife's sick aunt to his parents' place, but on their way there they were intercepted by the Banyamulengués who shouted "eyo eyo kemba kemba" and ordered him to put the sick person on the ground and asked him for money. The applicant states that after he gave them all the money he had, they beat him with the butts of their guns. He further states that his wife and four daughters tried to hide, but they were found by one of the soldiers. According to the applicant, the soldiers pillaged his belongings. He states that the sick aunt died and that he developed physical problems after the beatings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²

Analysis and conclusions

¹¹ ICC-01/05-01/08-1854-Conf-Exp-Anx14; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 17 to 18.

¹² ICC-01/05-01/08-1854-Conf-Exp-Anx14, pages 4 to 6.

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 PK [REDACTED] on 31 October 2002.

Applicant [REDACTED]³

Claim to victim status

The applicant states that on 30 October 2002, he was at his house, located in [REDACTED] PK [REDACTED] when Jean-Pierre Bemba's Banyamulengués pillaged his shop and his hair salon, located on the road to [REDACTED]. He states that on 2 November 2002, they also pillaged his house which forced him to move to his father's house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴

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

¹³ ICC-01/05-01/08-1854-Conf-Exp-Anx15; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 19 to 20.

¹⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx15, pages 4 to 5 and 8 to 9.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 30 October and 2 November 2002.

Applicant [REDACTED]⁵

Claim to victim status

The applicant states that on 26 October 2002, she was at home, in the [REDACTED] area of PK [REDACTED] together with her family, when the armed men of Jean-Pierre Bemba, who were wearing military uniforms, came to the area shooting in the air. The applicant states that she fled and so did the other members of their family, leaving all their belongings behind. She states that Mr Bemba's men occupied her house, pillaged all her belongings and destroyed the doors and the windows. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶

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 PK [REDACTED] on an unspecified date as of 26 October 2002.

¹⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx16; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 21 to 22.

¹⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx16, pages 4 to 5 and 9.

Applicant [REDACTED]¹⁷

Claim to victim status

The applicant states that on 20 December 2002, the Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] tied her up and raped her. She states that they pillaged all her money and belongings. According to the applicant, she fled to the fields a few days later and she could only return to her house on 15 March 2003 when she heard on the radio that the [REDACTED] area was safe again. She states that upon her return, she found that all her property had been pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 20 December 2002 and on an unspecified date between 20 December 2002 and 15 March 2003.

Applicant [REDACTED]¹⁹

Claim to victim status

¹⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx17; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 23 to 24.

¹⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx17, pages 4 to 5 and 9.

¹⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx18; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 25 to 26.

The applicant states that on 4 November 2002, when the Banyamulengués came to his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] he tried to resist them but they tied him up and beat him. He states that they pillaged his belongings, including his pigsty. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 4 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 November 2002, when the Banyamulengués came to her house, located in [REDACTED] she fled together with her family members to [REDACTED]. She states that a few days later, when they were in [REDACTED] she heard on the radio that General Bozizé was to come to power and that the Banyamulengués were fleeing. She states that they returned to their house and they were told by their neighbours that all their property had been pillaged by

²⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx18, pages 4 to 5.

²¹ ICC-01/05-01/08-1854-Conf-Exp-Anx19; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 27 to 28.

the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²

Analysis and conclusions

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

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

Applicant [REDACTED]²³

Claim to victim status

The applicant claims that on 26 October 2002, Mr Bemba's men, who were armed and wearing military uniforms, came to his house, located in [REDACTED] PK [REDACTED] and forced him and his family to leave. The applicant states that they occupied his house for a period of five months and pillaged his belongings and merchandise. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴

Analysis and conclusions

²² ICC-01/05-01/08-1854-Conf-Exp-Anx19, pages 4 to 5.

²³ ICC-01/05-01/08-1854-Conf-Exp-Anx98; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 29 to 30.

²⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx98, pages 4 to 5 and 8 to 10.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]²⁵

Claim to victim status

The applicant claims that on 29 October 2002, Mr Bemba's men, who were armed, came to [REDACTED] PK [REDACTED] shot in every direction, raped women, pillaged houses and committed murder. The applicant states that she fled to the bush, together with her family, where they stayed for a period of six months. The applicant further states that Mr Bemba's men pillaged her belongings and livestock. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶

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

²⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx99; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 31 to 32.

²⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx99, pages 4 to 5 and 8 to 10.

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] PK [REDACTED] on an unspecified date as of 29 October 2002.

Applicant [REDACTED]²⁷

Claim to victim status

The applicant claims that on 27 October 2002, when Mr Bemba's men, who were armed and were wearing military uniforms, came to his farm, located in [REDACTED] PK [REDACTED] he fled from the area. The applicant states that they occupied his farm for a period of five months. The applicant states that they pillaged his belongings and ate his livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 October 2002.

²⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx100; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 33 to 34.

²⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx100, pages 4 to 5 and 8.

Applicant [REDACTED]²⁹

Claim to victim status

The applicant claims that on 26 October 2002, when Mr Bemba's men, who were armed and were wearing military uniforms, came to his house, located in [REDACTED] in the [REDACTED] area, he fled from his house together with his family to avoid being physically assaulted. The applicant states that they pillaged his belongings and consumed his merchandise. The applicant further states that Mr Bemba's men damaged and looted his shop located by the roadside. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]³¹

Claim to victim status

²⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx101; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 35 to 36.

³⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx101, pages 4 to 5 and 9.

³¹ ICC-01/05-01/08-1854-Conf-Exp-Anx102; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 37 to 38.

The applicant claims that on 27 October 2002, when Mr Bemba's men, who were armed and were wearing military uniforms, came to ██████ P ██████ shooting in the air, forcing people to leave their houses and committing crimes, such as rape, pillage and murder, he fled from his house, together with his family, and took refuge in PK█████ The applicant states that upon his return, he found his house occupied by Mr Bemba's men, who also damaged and pillaged his belongings, including two vehicles, and his livestock. The applicant further states that on the same day, Mr Bemba's men damaged and looted the company where he used to work at the time. The applicant states that as a consequence, he lost his job. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³²

Analysis and conclusions

The Chamber notes that the applicant submits two declarations signed and stamped by the *chef de quartier* attesting to the loss of his birth certificate. Both documents indicate the same date of birth. However, the forenames appearing on both documents differ inasmuch as the forename on the second document corresponds to the forename of the intermediary, who has the same surname as the victim. However, given that the forename appearing on the first document is consistent with the forename appearing in the application form and in the list of pillaged items appended to the application, the Chamber is of the view that this inconsistency may be the result of inadvertent error and should not serve to exclude the applicant.

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

³² ICC-01/05-01/08-1854-Conf-Exp-Anx102, pages 4 to 5, 9 and 11.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date on and as of 27 October 2002.

Applicant [REDACTED]³³

Claim to victim status

The applicant claims that on 5 November 2002, the Banyamulengués came to [REDACTED] on the road to [REDACTED] and started to pillage all the houses. The applicant states that a group of five armed Banyamulengués broke into her house and pillaged her belongings. She states that one of them hit her and tried to rape her, but he was stopped by another Banyamulengué. The applicant further states that Mr Bemba himself went twice to the football pitch of [REDACTED] in PK [REDACTED] and that he also went to PK [REDACTED] on the road to [REDACTED]. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 5 November 2002.

³³ ICC-01/05-01/08-1854-Conf-Exp-Anx104; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 39 to 40.

³⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx104, pages 4 to 5, 8 and 11.

Applicant [REDACTED]³⁵

Claim to victim status

The applicant claims that on 10 January 2003, a group of seven of Mr Bemba’s Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] P [REDACTED] on the road to [REDACTED]. The applicant states that upon their arrival they asked her for money and since she did not have any money, they threw her on the ground and started pillaging her belongings. The applicant states that her children panicked, fled and tried to ask the *chef de quartier* for help. The applicant states that they used her rickshaws to transport her belongings. The applicant adds that the Banyamulengués had established their base in [REDACTED] on the football field. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁶

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 10 January 2003.

³⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx105; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 41 to 42.

³⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx105, pages 4 to 5, 8 and 11 to 12.

Applicant ██████████³⁷

Claim to victim status

The applicant states that on 27 October 2002, Jean-Pierre Bemba's Congolese rebels came to her house, located in ██████████ PK ██████████, pillaged her belongings and killed her livestock. She further contends that they physically assaulted her and that they raped two of her daughters, infecting them with HIV and syphilis. She alleges that they later died as a consequence of these diseases. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with her daughters, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ on 27 October 2002.

Applicant ██████████³⁹

³⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx152; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 43 to 44.

³⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx152, pages 4 to 5, 8 to 9 and 11.

³⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx153; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 45 to 46.

Claim to victim status

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

It is stated that on 8 March 2003, a group of around ten of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, entered their house, located in [REDACTED] P [REDACTED], and held them at gunpoint accusing them of being rebels. It is stated that while some of them were pillaging and damaging the belongings in the house, two of them tried to rape the applicant's wife. It is alleged that when the applicant resisted to the rape of his wife, Mr Bemba's men shot at him and killed him. It is further contended that after the murder of the applicant, the other members of the family fled from the house, but the applicant's wife and one of his sons were also murdered by Mr Bemba's men. It is alleged that the survivors took refuge five kilometres away and returned to their house six months later. It is stated that the dead bodies were buried by the Imam of the locality. The person acting on behalf of the applicant appends a death certificate stating that the death occurred on 8 March 2003. He also appends a document in which he lists and values the applicant's loss. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm.⁴⁰

Analysis and conclusions

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

⁴⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx153, pages 4 to 5 and 11.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant 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 and his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 8 March 2003.

Applicant [REDACTED]⁴¹

Claim to victim status

The applicant states that on 8 March 2003, a group of Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his house, located in the [REDACTED] area of [REDACTED] and four of them held his father at gunpoint asking him for money. He contends that after receiving some money, three of Mr Bemba's men tried to rape his mother and murdered his father and his brother when they tried to oppose them. The applicant states that they pillaged his belongings and that he fled without taking the corpses of his brother and his mother. He states that they sought refuge in [REDACTED] which was also occupied by Mr Bemba's men, who tried to physically assault him, but the applicant fled again to [REDACTED]. He alleges that the next day, he returned to his house to bury the bodies of his father and his brother. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴²

Analysis and conclusions

⁴¹ ICC-01/05-01/08-1854-Conf-Exp-Anx154; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 47 to 48.

⁴² ICC-01/05-01/08-1854-Conf-Exp-Anx154, pages 4 to 5, 8 to 10.

The Chamber considers that the documents provided demonstrate the identity of the applicant. In addition, the Chamber notes that the identity of and kinship with his father are provided in application [REDACTED]. However, in the absence of any document establishing the identity of and kinship with his brother and his mother, only the murder of the applicant's father and pillage will be considered for the purpose of the present assessment.

The Chamber notes discrepancies with regard to the accounts provided by the applicant in his own application ([REDACTED] above) and the application made on behalf of his father [REDACTED]. In particular, the Chamber notes that in the application made on behalf of his father, it is stated that the father died and was buried by the [REDACTED] of the locality during the son's absence that lasted six months. In the application on the son's own behalf, however, it is stated that he came back to his house a few days after the alleged events and buried the bodies of his father and his brother. Finally, while it is clearly stated in the application on behalf of his father that the mother was killed by the Banyamulengués, this does not follow from the application introduced by the son on his own behalf. However, in light of the intrinsic coherence of both applications in all other respects, the Chamber is of the view that this discrepancy could be the result of inadvertent error by the person who assisted the applicant in filling in the forms and should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his father and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 8 March 2003.

Applicant [REDACTED]⁴³

Claim to victim status

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

It is stated that on 28 October 2002, a group of around ten armed Banyamulengués of Jean-Pierre Bemba, who were wearing military uniforms and were speaking Lingala, entered their house, located in the [REDACTED] area of [REDACTED]. It is stated that eight of them raped the applicant, while the others pillaged their belongings. The person acting on behalf of the applicant appends a medical document certifying that the applicant was HIV positive and a death certificate stating that the death occurred on [REDACTED] January 2008, after a five-year-long illness. The person acting on behalf of the applicant appends a document in which she lists and values the applicant's loss. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.⁴⁴

Analysis and conclusions

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

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

⁴³ ICC-01/05-01/08-1854-Conf-Exp-Anx156; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 51 to 52.

⁴⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx156, pages 4 to 5, 10 and 14.

and her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 28 October 2002. In addition, the Chamber considers that the person acting on behalf of the applicant has also provided sufficient evidence to demonstrate that she suffered personal harm, namely the pillage of her belongings and the rape of her mother by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 28 October 2002.

Applicant [REDACTED]⁴⁵

Claim to victim status

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] he fled from the area together with his family to take refuge in PK [REDACTED]. He contends that the next day he went to the [REDACTED] [REDACTED] and he found that his livestock had been pillaged. According to the applicant, upon his return to his house, six months later, he found that his belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁴⁶

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

⁴⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx157; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 53 to 54.

⁴⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx157, pages 4 to 5 and 8.

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] and in the area of the [REDACTED] [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]⁴⁷

Claim to victim status

The applicant states that in May, a group of four armed Banyamulengués broke into his house, located in [REDACTED] PK [REDACTED] forced his mother to be their servant, and forced him and his brothers to carry their belongings to the Banyamulengués' base, located in the school of [REDACTED]. He contends that once in the base, he and his brothers were physically assaulted, tortured, raped, castrated and humiliated for a period of three days, until they managed to flee to the bush, where they faced harsh conditions. He further contends that, while in the bush, they met the wife of the *chef de quartier* who gave them food and water before they returned to their house. According to the applicant, upon his return to his house, he found that his belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity

⁴⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx158; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 55 to 56.

⁴⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx158, pages 4 to 5 and 8 to 10.

of and kinship with his brothers, only the rape of the applicant and the pillage of his belongings will be considered for the purpose of the present assessment.

The Chamber notes a discrepancy with regard to the date of the alleged events. While in the document appended to the application – a letter written by the applicant and signed and stamped by the *chef de quartier* – it is stated that the events occurred in May, it is indicated in the application form that the events took place on 27 October 2002. In addition, the subject line of the letter appended to the application refers to 27 October 2002. However, in light of the intrinsic coherence of the application in all other respects, notably the reference to the base of the Banyamulengués at the school in ██████ which was corroborated by a number of applicants, the Chamber is of the view that this discrepancy should not serve to exclude the applicant. Under these circumstances, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he suffered personal harm as a result of crimes confirmed against the accused, namely his rape and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the ██████ area of ██████ on an unspecified date as of 27 October 2002.

Applicant ██████⁴⁹

Claim to victim status

The applicant states that after having been alerted by a neighbor, he went to his house, located in the ██████ area of ██████ PK ██████ and found that the Banyamulengués had physically assaulted his mother and his brothers. He further contends that he and his brothers were forced to carry their belongings to

⁴⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx159; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 57 to 58.

the Banyamulengués' base, located in the school of [REDACTED]. According to the applicant, after transporting the belongings, they were forced to stay with the Banyamulengués for a period of three days, and they were physically assaulted until they fled to the bush. He further contends that, while in the bush, they met the wife of the *chef de quartier*, who gave them food and water before they returned to their house. According to the applicant, upon their return to their house, he found that their belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵⁰

Analysis and conclusions

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

The Chamber notes that in the letter appended to the application, the applicant does not provide any date for the alleged events. However, the Chamber notes that it is stated in the application form and in the subject line of the letter that the events occurred on 27 October 2002. Accordingly, Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]⁵¹

Claim to victim status

⁵⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx159, pages 4 to 5 and 8 to 10.

⁵¹ ICC-01/05-01/08-1854-Conf-Exp-Anx160; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 59 to 60.

The applicant states that on 27 October 2002, when Jean-Pierre Bemba’s men, who were wearing military uniforms and speaking Lingala, arrived in [REDACTED] PK [REDACTED] they committed pillage, rapes and sexual violence against the population. The applicant states that she fled from her house to her sister’s house, located at Km [REDACTED] to take refuge, and that she stayed there for a period of five months. According to the applicant, when she returned to her house, she found that her belongings had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that Jean-Pierre Bemba’s Banyamulengués broke into his house, located in [REDACTED] PK [REDACTED] and forced him and his brothers to take their belongings out of the house. He contends that the Banyamulengués physically

⁵² ICC-01/05-01/08-1854-Conf-Exp-Anx160, pages 4 to 5 and 8.

⁵³ ICC-01/05-01/08-1854-Conf-Exp-Anx161; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 61 to 62.

assaulted all the members of his family. Furthermore, the applicant alleges that when they had carried the loot to the Banyamulengués' base, located in the school of [REDACTED] they were tortured and physically assaulted. He states that they stayed in the base for a period of three days before fleeing to the bush, where they stayed for more than one week and faced harsh conditions. He further contends that, while in the bush, they met the wife of the *chef de quartier*, who gave them food and water. According to the applicant, when he returned to his house, he found that his belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵⁴

Analysis and conclusions

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

The Chamber notes that in the letter appended to the application, the applicant does not provide any date for the alleged events. However, the Chamber notes that it is stated in the application form and in the subject line of the letter that the events occurred on 27 October 2002. Accordingly, Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 27 October 2002

Applicant [REDACTED]⁵⁵

⁵⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx161, pages 4 to 5 and 8 to 10.

⁵⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx162; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 63 to 64.

Claim to victim status

The applicant states that on 28 October 2002, when he saw that Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala, were approaching ██████ PK ██████ while committing acts of violence against the population, he fled to his aunt's house, at Km ██████ to take refuge. He adds that he stayed there for a period of six months. According to the applicant, upon his return, he found that his belongings had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date as of 28 October 2002.

Applicant ██████⁵⁷

Claim to victim status

The applicant states that on 27 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to his

⁵⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx162, pages 4 to 5 and 8.

⁵⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx163; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 65 to 66.

house, located in ██████ P ██████ to drive him and his family out of the house, he fled from the area to take refuge in the ██████ area for a period of five months. According to the applicant, upon his return he found that his belongings had been pillaged, including the doors and windows of his house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁸

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 ██████ area of ██████ on an unspecified date as of 27 October 2002.

Applicant ██████⁵⁹

Claim to victim status

The applicant states that on 17 November 2002, upon the occupation of ██████ PK ██████ by Jean-Pierre Bemba's men, he fled from the area and took refuge in ██████. According to the applicant, Mr Bemba's men occupied his house for a period of five months, and upon his return he found that his belongings had been pillaged.

⁵⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx163, pages 4 to 5 and 8.

⁵⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx164; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 67 to 68.

The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 17 November 2002.

Applicant [REDACTED]⁶¹

Claim to victim status

The applicant states that on 18 November 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] she fled together with her children to take refuge at her grand father's house in [REDACTED] where they stayed for a period of five months. According to the applicant, upon her return, she found that her belongings and livestock had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶²

Analysis and conclusions

⁶⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx164, pages 4 to 5 and 8 to 9.

⁶¹ ICC-01/05-01/08-1854-Conf-Exp-Anx165; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 69 to 70.

⁶² ICC-01/05-01/08-1854-Conf-Exp-Anx165, pages 4 to 5 and 8.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 18 November 2002.

Applicant [REDACTED]⁶³

Claim to victim status

The applicant states that on 28 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms, came to her house, located in [REDACTED] [REDACTED] PK [REDACTED] she fled together with her family to take refuge in her fields, 23 kilometres away, where they stayed for a period of five months. According to the applicant, upon her return, she found that her belongings had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁴

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

⁶³ ICC-01/05-01/08-1854-Conf-Exp-Anx166; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 71 to 72.

⁶⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx166, pages 4 to 5, 8 and 11.

that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ PK ██████ on an unspecified date as of 28 October 2002.

Applicant ██████████⁶⁵

Claim to victim status

The applicant states that on 10 January 2003, when Jean-Pierre Bemba's Banyamulengués troops, who were firing their weapons, came to her house, located in PK ██████ on the road to ██████████ they undressed her and physically assaulted her. She further contends that Mr Bemba's men forced her and her family to leave the house and they pillaged her belongings and livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁶⁶

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 PK ██████ on an unspecified date as of 10 January 2003.

⁶⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx167; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 73 to 74.

⁶⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx167, pages 4 to 5.

Applicant [REDACTED]⁶⁷**Claim to victim status**

The applicant states that in 2002, after the invasion of P [REDACTED] and before January 2003, the Banyamulengués came to PK [REDACTED] on the road to [REDACTED] to pillage the [REDACTED] farm and to search the area for livestock. She further contends that one of the Banyamulengués, who was speaking Lingala, broke into her house, asked her to give him food, pillaged her belongings and raped her. According to the applicant, as a consequence of the rape she was infected with syphilis and she also infected her husband. She alleges that they both received treatment. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 PK [REDACTED] on an unspecified date between 26 October 2002 and January 2003.

⁶⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx168; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 75 to 76.

⁶⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx168, pages 4 to 5 and 8.

Applicant ██████████⁶⁹

Claim to victim status

The applicant states that on 15 March 2003, due to the fact that Jean-Pierre Bemba's Banyamulengués knew that Mr Bozizé's men were about to take Bangui, a group of Banyamulengués broke into her property during their retreat. According to the applicant, Mr Bemba's MLC soldiers damaged her two houses, located in ██████████ in Bangui, and pillaged her belongings. The applicant appends a judicial document in which her loss is listed and valued. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁰

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 ██████████ area of Bangui on 15 March 2003.

Applicant ██████████⁷¹

Claim to victim status

⁶⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx174; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 77 to 78.

⁷⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx174, pages 4 to 5, 8 and 11 to 12.

⁷¹ ICC-01/05-01/08-1854-Conf-Exp-Anx175; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 79 to 80.

The applicant states that on 1 November 2002, during the Toussaint celebration, Jean-Pierre Bemba’s MLC soldiers arrived in the [REDACTED] area of [REDACTED] PK [REDACTED] and tortured him after tying his feet and hands. He further contends that they broke his two shinbones, raped two of his daughters and pillaged his house. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁷³

Claim to victim status

The applicant states that on 1 November 2002, during the occupation of PK [REDACTED] by Jean-Pierre Bemba’s men, a group of four Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] and raped her. She contends that they also pillaged her belongings and that her future husband, who came to Bangui

⁷² ICC-01/05-01/08-1854-Conf-Exp-Anx175, pages 4 to 5.

⁷³ ICC-01/05-01/08-1854-Conf-Exp-Anx176; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 81 to 82.

from abroad to marry her, abandoned her as a consequence of the rape. Furthermore, the applicant states that during the occupation of PK [REDACTED] by the Banyamulengués, they terrorized the civilian population by committing pillages and raping men and women. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁷⁵

Claim to victim status

The applicant states that on 28 October 2002, five Banyamulengués came to her house, located in the [REDACTED] area of PK [REDACTED] undressed her and raped her and then pillaged her house. The applicant states that she was infected with HIV and she appends medical documents to that effect. As a result of the alleged events,

⁷⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx176, pages 4 to 5.

⁷⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx179; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 83 to 84.

the applicant claims to have suffered physical, psychological and material harm.⁷⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 28 October 2002.

Applicant [REDACTED]⁷⁷

Claim to victim status

The applicant states that on 2 November 2002, Mr Bemba's Banyamulengués pillaged all his belongings and damaged and destroyed his house, located in the [REDACTED] area of PK [REDACTED]. The applicant states that during these events his wife and children took refuge in the bush. He adds that he was also physically injured by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁷⁸

Analysis and conclusions

⁷⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx179, pages 4 to 5 and 9 to 10.

⁷⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx180; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 85 to 86.

⁷⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx180, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 2 November 2002.

Applicant [REDACTED]⁷⁹

Claim to victim status

The applicant states that on 2 November 2002, he was living at his older brother's house, located in the [REDACTED] area of P [REDACTED]. However, because of the Banyamulengués' attacks on the civilian population, he had to flee from the house, together with his nieces, nephews and sister-in-law, and hid in the bush. According to the applicant, the Banyamulengués went to his brother's house, found his brother and pillaged everything, including his personal belongings. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁰

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

⁷⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx181; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 87 to 88.

⁸⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx181, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on an unspecified date as of 2 November 2002.

Applicant [REDACTED]⁸¹

Claim to victim status

The applicant states that in the first two weeks of November 2002, when the Banyamulengués came to his house, located in the [REDACTED] area of Bangui, all the girls and women in the house were hiding in order not to be raped by the soldiers. According to the applicant, they pillaged all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.⁸²

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 Bangui on an unspecified date in the first two weeks of November 2002.

⁸¹ ICC-01/05-01/08-1854-Conf-Exp-Anx189; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 89 to 90.

⁸² ICC-01/05-01/08-1854-Conf-Exp-Anx189, pages 4 to 5.

Applicant [REDACTED]⁸³

Claim to victim status

The applicant states that on 29 October 2002, the Banyamulengués came to the [REDACTED] [REDACTED] area of Bangui in order to drive out François Bozizé's rebels and they were committing pillage and rape. He adds that they took the residents of the area hostage and no one could flee. According to the applicant, they came to the rental house he was living in, threatened him and his younger brother with their guns and pillaged everything they could find in the house as well as his vehicle. The applicant lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁴

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 Bangui on 29 October 2002.

Applicant [REDACTED]⁸⁵

Claim to victim status

⁸³ ICC-01/05-01/08-1854-Conf-Exp-Anx190; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 91 to 92.

⁸⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx190, pages 4 to 5.

⁸⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx191; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 93 to 94.

The applicant states that on 3 November 2002, Mr Bemba’s soldiers came to his house, located in PK [REDACTED] threw him on the ground and five armed men anally raped him one after the other. He adds that they also raped three of his daughters. He further claims that they pillaged all their belongings. The applicant states that after the events he was on the verge of committing suicide and that it is still very difficult for him to speak about the events. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with his daughters, only the applicant’s rape and 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 his rape and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 3 November 2002.

Applicant [REDACTED]⁸⁷

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba’s Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED]

⁸⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx191, pages 4 to 5.

⁸⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx193; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 95 to 96.

PK [REDACTED] and found her there together with her sick two-year-old baby. She adds that the other members of her family had already fled. According to the applicant, the men undressed her and five of them raped her one after the other and they then pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁸⁹

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba's Banyamulengués broke into his house, located in the [REDACTED] area of [REDACTED] took him hostage and pillaged all his property. He adds that they then threw him on the ground, undressed him and anally raped him one after the

⁸⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx193, pages 4 to 5.

⁸⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx194; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 97 to 98.

other. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁰

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 his rape and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁹¹

Claim to victim status

The applicant states that on 1 November 2002, the MLC soldiers came to her house, located in the [REDACTED] area of [REDACTED] PK[REDACTED], and found her, her baby and her seven-year-old son. According to the applicant, they took her two-week-old baby and threw him on the ground, they slapped her, undressed her, threatened to kill her and they then threw her on the ground and six men raped her one after the other until she lost consciousness. The applicant further claims that the Banyamulengués pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹²

⁹⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx194, pages 4 to 5.

⁹¹ ICC-01/05-01/08-1854-Conf-Exp-Anx195; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 99 to 100.

⁹² ICC-01/05-01/08-1854-Conf-Exp-Anx195, pages 4 to 5.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]⁹³

Claim to victim status

The applicant states that on 2 November 2002, five armed Banyamulengués came to his compound, located in the [REDACTED] area of [REDACTED] PK [REDACTED], and found him all alone. According to the applicant, they tied him, beat him, threatened to kill him and they then pillaged all his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁹⁴

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

⁹³ ICC-01/05-01/08-1854-Conf-Exp-Anx196; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 101 to 102.

⁹⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx196, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 2 November 2002.

Applicant [REDACTED]⁹⁵

Claim to victim status

The applicant states that on 28 October 2002, he was at his house, located in the [REDACTED] area of PK [REDACTED], together with his wife and children, when they heard gun shots and they were told that Jean-Pierre Bemba's troops were in their area. According to the applicant, his wife and children fled and he stayed behind in order to watch the house. He claims that the Banyamulengués found him there, threatened him, pillaged the house and his pick-up truck, destroyed his henhouse and pigsty and took his livestock. As a result of the alleged events, the applicant claims to have suffered material harm.⁹⁶

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 PK [REDACTED] on 28 October 2002.

⁹⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx197; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 103 to 104.

⁹⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx197, pages 4 to 5.

Applicant [REDACTED]⁹⁷

Claim to victim status

The applicant states that on 26 October 2002, she fled from her house, located in the [REDACTED] area, together with her family and they sought refuge in the area of PK [REDACTED]. According to the applicant, when they arrived in the [REDACTED] village, they were intercepted by a group of seven Banyamulengués, who beat her concubine and asked him to go away. The applicant claims to not have seen him ever since. The applicant states that after being beaten she was also raped by two of the soldiers. She adds that she is HIV positive and she appends a medical document confirming her condition. She further asserts that the men pillaged her belongings and money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁸

Analysis and conclusions

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

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

⁹⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx198; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 105 to 106.

⁹⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx198, pages 4 to 5, 8 and 10.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] village on 26 October 2002.

Applicant [REDACTED]⁹⁹

Claim to victim status

The applicant states that on 2 November 2002, Jean-Pierre Bemba's armed men invaded [REDACTED] PK [REDACTED] and forced people to flee by committing pillage, rape and other types of sexual violence. According to the applicant, when he saw them approaching his house, he decided to flee to the fields, where he stayed for a period of five months. The applicant states that when he fled he only took along few clothes and that upon his return, he found that all his property had been pillaged and that his shop had been destroyed. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁰

Analysis and conclusions

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

The Chamber notes an inconsistency between the date of the alleged events provided in the application form (2 November 2002) and in the appended document in which the applicant lists and values his loss (28 November 2002). Nevertheless, the Chamber considers that because both dates fall within the temporal scope of the case and the inconsistency might be the result of

⁹⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx199; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 107 to 108.

¹⁰⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx199, pages 4 to 5 and 8.

inadvertent error by the person filling in the form, it should therefore not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 2 November 2002.

Applicant [REDACTED]¹⁰¹

Claim to victim status

The applicant states that on 28 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, invaded [REDACTED] PK [REDACTED] and started committing crimes. According to the applicant, when she saw them approaching her house she decided to flee to the fields, where she stayed for a period of five months. The applicant states that when she fled she could only take along few clothes and that upon her return, she found that all her property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰²

Analysis and conclusions

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

¹⁰¹ ICC-01/05-01/08-1854-Conf-Exp-Anx200; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 109 to 110.

¹⁰² ICC-01/05-01/08-1854-Conf-Exp-Anx200, pages 4 to 5 and 8.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]¹⁰³

Claim to victim status

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

It is stated that on 6 December 2002, when Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala came to the applicant's house, located in [REDACTED] all the family members fled leaving everything behind. It is further claimed that the Banyamulengués took the applicant by force, kept her hostage for a period of two weeks and raped her. According to the person acting on behalf, the applicant died soon after her release. A death certificate appended to the application form confirms that the death occurred on [REDACTED] December 2002. As a result of the alleged events, it is claimed that the applicant suffered physical and psychological harm.¹⁰⁴

Analysis and conclusions

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

¹⁰³ ICC-01/05-01/08-1854-Conf-Exp-Anx201; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 111 to 112.

¹⁰⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx201, pages 4 to 5, 8, 10 and 12.

Having considered the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 6 December 2002.

Applicant [REDACTED]¹⁰⁵

Claim to victim status

The applicant states that on 18 November 2002, when Jean-Pierre Bemba’s men came to her house, located in [REDACTED] P [REDACTED], shooting in the air, she and her family members fled leaving everything behind. She states that the soldiers captured her daughter and raped her and after she was released she joined them in the [REDACTED] village, where they took refuge, but despite their efforts, her daughter died soon after. According to the applicant, upon their return, five months later, they found that all their property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁶

Analysis and conclusions

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

¹⁰⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx202; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 113 to 114.

¹⁰⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx202, pages 4 to 5 and 8.

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 as of 18 November 2002.

Applicant ██████████¹⁰⁷

Claim to victim status

The applicant states that on 26 November 2002, when Jean-Pierre Bemba’s armed men broke into her house, located in ██████████ PK ██████ she fled leaving everything behind. According to the applicant, the soldiers hold her husband hostage and ill-treated him for a period of two weeks until he managed to escape. She adds that he then joined her in the ██████████ village, ██████████ kilometres away from their house. The applicant claims that upon their return, five months later, they found that all their property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁰⁸

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

¹⁰⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx203; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 115 to 116.

¹⁰⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx203, pages 4 to 5 and 8.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 November 2002.

Applicant [REDACTED]¹⁰⁹

Claim to victim status

The applicant states that on 27 November 2002, when Jean-Pierre Bemba armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in [REDACTED] PK [REDACTED] she fled together with her family leaving everything behind and took refuge at her aunt's house in the [REDACTED] area. According to the applicant, upon their return, five months later, they found that all their property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 27 November 2002.

¹⁰⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx204; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 117 to 118.

¹¹⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx204, pages 4 to 5 and 9.

Applicant [REDACTED]¹¹

Claim to victim status

The applicant states that on 25 November 2002, when Jean-Pierre Bemba’s armed men broke into her house, located in [REDACTED], PK [REDACTED], she was lying on a mattress on the floor and four soldiers raped her and in addition, some others raped her anally. According to the applicant, they pillaged her house and they then left and abandoned her. She adds that two hours later she fled to the [REDACTED] area and took refuge in her younger sister’s house. The applicant claims that upon her return, five months later, she found her house in a very bad condition. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 25 November 2002.

Applicant [REDACTED]¹³

¹¹¹ ICC-01/05-01/08-1854-Conf-Exp-Anx205; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 119 to 120.

¹¹² ICC-01/05-01/08-1854-Conf-Exp-Anx205, pages 4 to 5 and 8.

¹¹³ ICC-01/05-01/08-1854-Conf-Exp-Anx206; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 121 to 122.

Claim to victim status

The applicant states that on 17 November 2002, when Jean-Pierre Bemba armed men, who were wearing military uniforms and speaking Lingala, came to her house, located in [REDACTED] PK [REDACTED], she was at the market. She claims that her children, who were at home, were forced to flee, leaving everything behind, and they joined her at the market. According to the applicant, they all took refuge in the [REDACTED] area for a period of five months and upon their return, they found that all their property had been stolen by Jean-Pierre Bemba's men. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 17 November 2002.

Applicant [REDACTED]¹¹⁵

Claim to victim status

The applicant states that on 2 December 2002, she was at home when she was informed that the Banyamulengués had invaded her shop, located in [REDACTED]

¹¹⁴ ICC-01/05-01/08-1854-Conf-Exp-Anx206, pages 4 to 5 and 8.

¹¹⁵ ICC-01/05-01/08-1854-Conf-Exp-Anx207; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 123 to 124.

P ■ shooting in the air and beat five of her employees. According to the applicant, she went to the shop, but she was stopped from going inside by the people who were watching the events. She further claims that she could see the soldiers loading her equipment and products in a truck. The applicant states that she was later taken to the hospital because she suffered from low blood pressure and she was psychologically traumatized by the events. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁶

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 ■ on 2 December 2002.

Applicant ■¹¹⁷

Claim to victim status

The applicant states in the application form that on 17 January 2003, when he was returning from ■ to Bangui with his brother, Mr Bemba's men shot at them in PK ■ which forced him to flee to PK ■. The applicant states that he lost all his merchandise, which he lists. Furthermore, in a document appended to the

¹¹⁶ ICC-01/05-01/08-1854-Conf-Exp-Anx207, pages 4 to 5 and 9 to 16.

¹¹⁷ ICC-01/05-01/08-1854-Conf-Exp-Anx208; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 3 to 4.

application form in which the applicant provides supplementary information, he explains that in February 2003, he and his older brother were on their way back from [REDACTED], from where they had bought merchandise, and when they stopped at the barrier in PK [REDACTED] they could hear gunshots. The applicant alleges that he saw the Banyamulengués, who were wearing large and odd uniforms and no berets and who were speaking Lingala and some of them a bit of Sango. According to the applicant, when they started shooting in their direction, he abandoned his vehicle, leaving his merchandise behind. He adds that everything was pillaged by the Banyamulengués. As a result of the alleged events, the applicant claims to have suffered material harm.¹¹⁸

Analysis and conclusions

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

The Chamber notes that there is a discrepancy in the date of the alleged events as provided in the application form (17 January 2003) and in the additional statement attached thereto (February 2003). Nevertheless, given that the applicant's brother ([REDACTED]) who describes the same events, refers to mid January 2003 and as both dates fall within the scope of the present case, the Chamber is of the view that this discrepancy should not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 17 January 2003.

¹¹⁸ ICC-01/05-01/08-1854-Conf-Exp-Anx208, pages 9 and 19.

Applicant [REDACTED]¹¹⁹

Claim to victim status

The applicant states in the application form that on 17 January 2003, when he was returning from [REDACTED] to Bangui, in PK [REDACTED] together with his brother, Mr Bemba's men shot at them, whereupon they fled to P [REDACTED]. The applicant states that he lost all his merchandise, which he lists. Furthermore, in a document appended to the application form, in which the applicant provides supplementary information, he explains that in mid January 2003, on his way back from [REDACTED] he was intercepted by the Banyamulengués in the area of PK [REDACTED]. The applicant alleges that the Banyamulengués started shooting in their direction to chase them away. The applicant states that they abandoned their vehicle leaving their merchandise behind and fled to the bush. He adds that the Banyamulengués pillaged all their belongings. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹²⁰

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 PK [REDACTED] on 17 January 2003.

¹¹⁹ ICC-01/05-01/08-1854-Conf-Exp-Anx209; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 5 to 6.

¹²⁰ ICC-01/05-01/08-1854-Conf-Exp-Anx209, pages 9 and 19.

o **Fifteenth transmission - ICC-01/05-01/08-1884-Conf-Exp-Anxs**

Applicant ██████████¹²¹

Claim to victim status

The applicant states that between 22 and 23 November 2002, his pigs that were in his pigsty in the ██████████ area of Bangui were pillaged by Jean-Pierre Bemba's soldiers in order to be eaten. As a result of the alleged events, the applicant claims to have suffered material harm.¹²²

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 ██████████ area of Bangui on 22 and 23 November 2002.

Applicant ██████████¹²³

Claim to victim status

The applicant states that in November 2002, when Jean-Pierre Bemba soldiers invaded the ██████████ area of Bangui, she fled together with the rest of the

¹²¹ ICC-01/05-01/08-1884-Conf-Exp-Anx1; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 3 to 4.

¹²² ICC-01/05-01/08-1884-Conf-Exp-Anx1, pages 9 to 13.

¹²³ ICC-01/05-01/08-1884-Conf-Exp-Anx2; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 5 to 6.

population. The applicant states that she was intercepted near the catholic church of [REDACTED] by four Banyamulengués who raped her and pillaged her money. She adds that her husband did not want to see her until her serology test revealed to be negative. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁴

Analysis and conclusions

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

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

Applicant [REDACTED]¹²⁵

Claim to victim status

The applicant states in the application form that on 4 November 2002, while he and his family were already in bed, the armed men of Jean-Pierre Bemba came to his house, located in [REDACTED] P [REDACTED] firing their guns. He claims that they broke into his house and started pillaging his belongings, which he lists and values in an appended document. He further claims that they threatened him and forced him to undress, raped his daughter, who subsequently became

¹²⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx2, pages 9 to 12.

¹²⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx4; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 7 to 8.

pregnant and was infected with HIV and killed his younger brother. He adds that his daughter later gave birth to a girl who is still alive. The applicant also states that one Banyamulengué hit him with the butt of his gun and that he suffered an injury in his pelvis as a result of the beating. In the additional statement appended to the application form, the applicant specifies that it was not his daughter who was raped, but his younger sister. He states that she was held hostage by the Banyamulengués and that she was only released after a few days. He also adds that she got pregnant, but she did not have the baby, and that she was not infected with HIV. Regarding his younger brother, he states that he was severely beaten and died a few months later, as a result of the injuries sustained. The applicant also mentions that he was beaten. He further clarifies the date of the alleged events claiming that they took place on 25 October 2002, when the Banyamulengués arrived in P [REDACTED]. The applicant alleges that after the events described in the application form he fled and took refuge in the [REDACTED] area for a period of five months and he states that upon his return, he found that his property had been completely pillaged and destroyed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹²⁶

Analysis and conclusions

The Chamber notes a series of discrepancies in the application form related to the information regarding the applicant's identity, including a significant discrepancy between the date of birth as appearing in the application form ([REDACTED] 1945) and on the electoral card attached thereto ([REDACTED] 1974). However, the Chamber notes that, in an additional statement, the applicant clarifies that he

¹²⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx4, pages 9 to 11 and 24 to 25.

inverted on the application form his date of birth with the one of his father and that he confirms that he was born on [REDACTED] 1974, as stated on his electoral card. Accordingly, the Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant, his brother, his father and his sister, as well as the kinship between them.

The Chamber further notes that as opposed to the application form where it is stated that the alleged events occurred on 4 November 2002, in the additional statement, the applicant claims that the alleged events occurred around 25 October 2002 and not on 2 November 2002 and that this discrepancy is the result of inadvertent error in filling in the form.

However, the Chamber notes a series of discrepancies regarding the facts as related in the application form on the one hand and in the additional statement on the other. The Chamber is of the view that these discrepancies undermine the intrinsic coherence of the application and the credibility of the applicant. Accordingly, the application for participation in the proceedings is rejected.

Applicant [REDACTED]¹²⁷

Claim to victim status

The applicant states that on 19 December 2002, Jean-Pierre Bemba's soldiers pillaged her warehouse, located in [REDACTED]. She further states that the Banyamulengués resold her retail goods and that she subsequently went bankrupt. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹²⁸

¹²⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx5; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 43 to 44.

¹²⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx5, pages 4 to 5 and 9 to 10.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ on 19 December 2002.

Applicant ██████████¹²⁹

Claim to victim status

The applicant states that on 8 November 2002, five armed Banyamulengués surrounded her house, located in ██████████ P ██████████. She further states that she lost consciousness when they broke into her house and that they pillaged her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁰

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

¹²⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx6; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 45 to 46.

¹³⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx6, pages 4 to 5 and 10.

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 8 November 2002.

Applicant [REDACTED]¹³¹

Claim to victim status

The applicant states that on 30 November 2002, ten Banyamulengués attacked him at his house, located in [REDACTED] PK [REDACTED]. He further states that his family fled from the house and that Jean-Pierre Bemba's men tied him up and beat him before pillaging his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹³²

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 30 November 2002.

Applicant [REDACTED]¹³³

¹³¹ ICC-01/05-01/08-1884-Conf-Exp-Anx7; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 47 to 48.

¹³² ICC-01/05-01/08-1884-Conf-Exp-Anx7, pages 4 to 5 and 8.

¹³³ ICC-01/05-01/08-1884-Conf-Exp-Anx8; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 49 to 50.

Claim to victim status

The applicant states that on 29 October 2002, five armed Banyamulengués pillaged his house, located in ██████ P ██████ and took their loot away in a truck. He further states that at the time of the pillage, he had already sent his family to his parents' house, located ██████ kilometres away. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on 29 October 2002.

Applicant ██████¹³⁵

Claim to victim status

The applicant states that on 20 November 2002, nine Banyamulengués surrounded and pillaged her henhouse, located in ██████ PK ██████. She further claims that she had to flee from the area together with her family, leaving everything behind and that the soldiers pillaged her belongings and livestock during her absence. The applicant appends a document in which she lists and

¹³⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx8, pages 4 to 5 and 9.

¹³⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx9; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 51 to 52.

values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date on and as of 20 November 2002.

Applicant [REDACTED]³⁷

Claim to victim status

The applicant states that on 13 November 2002, when ten Banyamulengués surrounded his house, located in [REDACTED] PK [REDACTED] he panicked and ran out of his house leaving his door open. The applicant contends that the soldiers of Jean-Pierre Bemba took this opportunity to pillage all his belongings. He claims that he made a declaration about this event to the chief of the area. The applicant appends a document in which he lists his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹³⁸

Analysis and conclusions

¹³⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx9, pages 4 to 5 and 9.

¹³⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx10; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 53 to 54.

¹³⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx10, pages 4 to 5 and 9.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date on and as of 13 November 2002.

Applicant [REDACTED]¹³⁹

Claim to victim status

The applicant states that on 5 January 2003, eight Banyamulengués arrived at his house, located in [REDACTED] PK [REDACTED]. The applicant alleges that his family fled but the soldiers of Jean-Pierre Bemba, who were armed with Kalashnikovs, threatened to kill him if he would flee. The applicant contends that the soldiers beat him up and pillaged his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁴⁰

Analysis and conclusions

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

¹³⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx11; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 55 to 56.

¹⁴⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx11, pages 4 to 5 and 10.

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

Applicant [REDACTED]¹⁴¹

Claim to victim status

The applicant states that on 5 February 2003, six Banyamulengués invaded her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] assaulted her, hold her hostage and pillaged her belongings. She claims that she made a declaration about the loss of her goods to the *chef de quartier*. The applicant appends a document in which she list and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴²

Analysis and conclusions

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

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

¹⁴¹ ICC-01/05-01/08-1884-Conf-Exp-Anx12; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 57 to 58.

¹⁴² ICC-01/05-01/08-1884-Conf-Exp-Anx12, pages 4 to 5 and 9.

Applicant [REDACTED]¹⁴³

Claim to victim status

The applicant states that on 25 January 2003, twenty soldiers of Jean-Pierre Bemba broke into his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] shooting in the air, and pillaged his belongings. The applicant claims that some of the soldiers were chauffeurs and mechanics which enabled them to take his vehicles. He also claims that he saw Jean-Pierre Bemba twice in his area. The applicant appends a document in which he list and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁴

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 25 January 2003.

Applicant [REDACTED]¹⁴⁵

Claim to victim status

The applicant states that on 27 January 2003, when four Banyamulengués came to her house, located in [REDACTED] P [REDACTED] searching for her husband, she

¹⁴³ ICC-01/05-01/08-1884-Conf-Exp-Anx13; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 59 to 60.

¹⁴⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx13, pages 4 to 5 and 9 to 10.

¹⁴⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx14; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 61 to 62.

took her children and fled to the fields, where they stayed for one week. She claims that when they returned, they found that their house had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁶

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁴⁷

Claim to victim status

The applicant states that on 9 February 2003, five armed Banyamulengués entered his house, located in [REDACTED] shooting in the air, and pillaged his property. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴⁸

¹⁴⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx14, pages 4 to 5 and 9.

¹⁴⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx15; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 63 to 64.

¹⁴⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx15, pages 4 to 5 and 9.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 9 February 2003.

Applicant [REDACTED]¹⁴⁹

Claim to victim status

The applicant states that on 17 December 2002, in [REDACTED] she was attacked by nine Banyamulengués, whom she describes as being on drugs, as their eyes were red like fire. The applicant states that she fled together with her children, fell while running and that the two men who were chasing her caught her. She claims that they asked her for money and when she told them that she did not have any, they threatened to rape and kill her. The applicant claims to have been saved by seven others. She states that she saw them looting her car and belongings. She also claims to have seen Jean-Pierre Bemba twice in this area during the events. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁰

Analysis and conclusions

¹⁴⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx16; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 65 to 66.

¹⁵⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx16, pages 4 to 5 and 10.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 17 December 2002.

Applicant [REDACTED]⁵¹

Claim to victim status

The applicant states that on 6 December 2002, while he was travelling for work purposes, his house, located in [REDACTED] PK [REDACTED] was pillaged by Jean-Pierre Bemba's Banyamulengués. He states that upon his return, he found that his eldest son had been tortured by the Banyamulengués and beaten with a club and the butt of a Kalashnikov. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵²

Analysis and conclusions

The Chamber notes that the applicant's date of birth does not appear in the application form but only in the identity documents appended to the application form. However, given that the remainder of the information provided in the passport and declaration of birth is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of an

¹⁵¹ ICC-01/05-01/08-1884-Conf-Exp-Anx17; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 67 to 68.

¹⁵² ICC-01/05-01/08-1884-Conf-Exp-Anx17, pages 4 to 5 and 10.

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 17 December 2002.

Applicant [REDACTED]¹⁵³

Claim to victim status

The applicant states that on 10 November 2002, sixteen armed soldiers of Jean-Pierre Bemba burst into his garage, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. The applicant states that when the men started shooting in the air, his employees fled, as well as his clients and family, leaving everything behind. He further alleges that the men pillaged everything in his garage, including important documents. He also asserts that the soldiers occupied his property and used it as a military base. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁴

Analysis and conclusions

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

¹⁵³ ICC-01/05-01/08-1884-Conf-Exp-Anx18; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 69 to 70.

¹⁵⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx18, pages 4 to 5 and 9.

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

Applicant [REDACTED]¹⁵⁵

Claim to victim status

The applicant states that on 5 December 2002, eight Banyamulengués came to his welding workshop, located in the [REDACTED] area of [REDACTED] shooting in the air, and beat him and his employees with a truncheon. The applicant states that he fled together with his employees, leaving all their belongings behind. He further alleges that the Banyamulengués pillaged everything in his workshop. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁶

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-

¹⁵⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx19; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 71 to 72.

¹⁵⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx19, pages 4 to 5 and 9 to 10.

Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 5 December 2002.

Applicant [REDACTED]¹⁵⁷

Claim to victim status

The applicant states that on 25 November 2002, thirteen Banyamulengués, eight men and five women, came to his house located in the [REDACTED] area of [REDACTED] took him hostage and pillaged his belongings. He asserts that the five women started beating him with truncheons and threatened to shoot him if he moved. He states that he saw Jean-Pierre Bemba twice in the area, once in military clothes and once in civilian clothing. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁸

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 25 November 2002.

¹⁵⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx20; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 73 to 74.

¹⁵⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx20, pages 4 to 5 and 9 to 11.

Applicant ██████████¹⁵⁹

Claim to victim status

The applicant states that on 23 December 2002, ten Banyamulengués arrived in the ██████████ village, PK ██████ shooting in the air to scare the local population and then proceeded to break into houses. He claims that they committed acts of violence and rape against his daughters. He states that afterwards he and his family fled to the bush and when they returned, two weeks later, he found that his belongings and livestock had been pillaged. The applicant lists his loss. The applicant also claims that his brother was killed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ on an unspecified date as of 23 December 2002.

Applicant ██████████¹⁶¹

¹⁵⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx22; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 75 to 76.

¹⁶⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx22, pages 4 to 5.

¹⁶¹ ICC-01/05-01/08-1884-Conf-Exp-Anx28; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 77 to 78.

Claim to victim status

The applicant states that on 29 November 2002, the Banyamulengués invaded her house, located in the [REDACTED] area of [REDACTED] threatened her and her family and started taking their belongings. The applicant states that the Banyamulengués raped her and one of her daughters. According to the applicant, her brother tried to resist them, whereupon he was tortured and killed with a knife. The applicant appends a death certificate stating that her brother's death occurred on 29 November 2002. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, in the absence of any document establishing the identity of and kinship with her daughter, only pillage, the applicant's rape and the murder of the applicant's brother will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape, the pillage of her belongings and the murder of her brother by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 29 November 2002.

Applicant [REDACTED]¹⁶³

¹⁶² ICC-01/05-01/08-1884-Conf-Exp-Anx28, pages 4 to 5 and 8.

¹⁶³ ICC-01/05-01/08-1884-Conf-Exp-Anx29; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 79 to 80.

Claim to victim status

The applicant states that the Banyamulengués had come from Bangui to fight the rebels of Mr Bozizé, and when they arrived in her village, ██████ located ██████ kilometres away from Bangui, she got scared and fled to the fields. According to the applicant, upon her return, she found that the soldiers had taken all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶⁴

Analysis and conclusions

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

The Chamber notes that the applicant fails to provide a precise date for the alleged events. However, in light of the intrinsic coherence of the application in all other respects, notably the fact that the alleged perpetrators were identified as the Banyamulengués and given that the applicant states that the events took place after the Banyamulengués had left Bangui and came to fight the rebels of Mr Bozizé, the Chamber is of the view that the failure to provide a precise date should not serve to exclude the applicant. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 26 October 2002 and 15 March 2003.

¹⁶⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx29, pages 4 to 5 and 8.

Applicant [REDACTED]¹⁶⁵

Claim to victim status

The applicant states that on 30 October 2002, Mr Bemba's men pillaged her house located in [REDACTED]. She further claims that one of them slapped her because she was wearing Muslim clothes and asked her in Sango if she was Chadian. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁶

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 30 October 2002.

Applicant [REDACTED]¹⁶⁷

Claim to victim status

The applicant states that on 2 November 2002, the Banyamulengués pillaged her house located in the [REDACTED] area, while she was at the market. She further states that her children informed her that the soldiers were pillaging her house and

¹⁶⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx30; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 81 to 82.

¹⁶⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx30, pages 4 to 5 and 9.

¹⁶⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx31; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 83 to 84.

consequently she went back home and witnessed the men pillaging her belongings. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁶⁸

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 2 November 2002.

Applicant [REDACTED]¹⁶⁹

Claim to victim status

The applicant states that on 18 February 2003, Jean-Pierre Bemba’s rebels invaded [REDACTED] PK [REDACTED] causing the population to flee. The applicant further claims that during his absence, the soldiers pillaged his belongings and livestock. He further states that Mr Bemba’s men pillaged his other house, located in [REDACTED] PK [REDACTED] on the road to [REDACTED]. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁰

¹⁶⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx31, pages 4 to 5 and 9.

¹⁶⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx33; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 85 to 86.

¹⁷⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx33, pages 4 to 5 and 8 to 9.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 [REDACTED] on an unspecified date as of 18 February 2003.

Applicant [REDACTED]¹⁷¹

Claim to victim status

The applicant states that on 14 November 2002, when Mr Bemba's soldiers arrived in [REDACTED] P [REDACTED] the population decided to evacuate all the women and only the men stayed to protect the area. He further alleges that the soldiers started pillaging the houses one by one and that when they came to his house, they assaulted him before pillaging all his belongings and forced him to leave the house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁷²

Analysis and conclusions

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

¹⁷¹ ICC-01/05-01/08-1884-Conf-Exp-Anx34; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 87 to 88.

¹⁷² ICC-01/05-01/08-1884-Conf-Exp-Anx34, pages 4 to 5 and 8.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on 14 November 2002.

Applicant ██████¹⁷³

Claim to victim status

The applicant states that on 9 November 2002, in P ██████ on the road to ██████ she was dragged under a mango tree, undressed and raped by four Banyamulengués. She also alleges that her belongings were pillaged. She states that she wanted to commit suicide after the alleged events and that the reason why she is still alive today is that many people gave her advice and cheered her up. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁷⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in PK ██████ n 9 November 2002.

¹⁷³ ICC-01/05-01/08-1884-Conf-Exp-Anx60; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 89 to 90.

¹⁷⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx60, pages 4 to 5.

Applicant [REDACTED]⁵

Claim to victim status

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

It is stated that in November 2002, the Banyamulengués entered the applicant's house, located in [REDACTED] PK [REDACTED] and raped the applicant's two daughters and his daughter-in-law. It is further claimed that the Banyamulengués pillaged the property belonging to the applicant and to his children, and they burned down part of the house. It is alleged that, as a result of these events, the family had to move and all of these events precipitated the death of the applicant which occurred on [REDACTED] pril 2005. The death certificate appended to the application form confirms that the death occurred on [REDACTED] April 2005. As a result of the alleged events, it is claimed that the applicant suffered psychological and material harm.¹⁷⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and his son, who is acting on the applicant's behalf as well as their kinship. However, in the absence of any document establishing the identity of and kinship with the applicant's daughters and his daughter-in-law, only pillage will be considered for the purpose of the present assessment.

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

¹⁷⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx62; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 91 to 92.

¹⁷⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx62, pages 4 to 5.

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 ██████ P ██████ on an unspecified date in November 2002.

Applicant ██████¹⁷⁷

Claim to victim status

The applicant states that in November 2002, the Banyamulengués entered his house, located in ██████ PK ██████ raped his mother and his two aunts, and pillaged their house, including his personal belongings. The applicant also claims to have been slapped by the Banyamulengués. He adds that as a consequence of the alleged events, his family had to leave the area and rent another house in a different area. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁷⁸

Analysis and conclusions

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

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

¹⁷⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx63; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 93 to 94.

¹⁷⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx63, pages 4 to 5.

Applicant [REDACTED]¹⁷⁹

Claim to victim status

The applicant states that in November 2002, the Banyamulengués entered his house, located in [REDACTED] PK [REDACTED] raped his mother and his two aunts and pillaged their belongings. The applicant also states that they pillaged his personal belongings and that his library was destroyed. He further alleges that they destroyed part of the house with gunshots. He adds that his family was forced to leave their house and to rent a house in another area. The applicant further alleges that the situation has brought continuous pain to the family and damaged their honor. He adds that he has been stigmatized by others who call him the “son of the Banyamulengués”. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁰

Analysis and conclusions

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

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

¹⁷⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx64; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 95 to 96.

¹⁸⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx64, pages 4 to 5.

Applicant [REDACTED]¹⁸¹

Claim to victim status

The applicant states that in November 2002 the Banyamulengués entered her house, located in [REDACTED] PK [REDACTED] pillaged and destroyed the house, and raped the women. The applicant alleges that she was raped by four men in front of her husband and children, which caused a shock in her family. She further alleges that they pillaged all of her belongings and those of her children. The applicant claims that the shame forced the family to leave the area. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸²

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁸³

¹⁸¹ ICC-01/05-01/08-1884-Conf-Exp-Anx65; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 97 to 98.

¹⁸² ICC-01/05-01/08-1884-Conf-Exp-Anx65, pages 4 to 5.

¹⁸³ ICC-01/05-01/08-1884-Conf-Exp-Anx66; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 99 to 100.

Claim to victim status

The applicant states that on 7 November 2002, his house, located in PK [REDACTED] was invaded by the Banyamulengués troops of Jean-Pierre Bemba who pillaged all his belongings. The applicant also alleges that his adopted daughter was raped. As a result of the alleged events the applicant claims to have suffered material harm.¹⁸⁴

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁸⁵

Claim to victim status

The applicant states that on 8 November 2002, Jean-Pierre Bemba's Banyamulengués came to her husband's house, located in the [REDACTED] area, PK [REDACTED]. She claims that they asked her for food and when one of her sons said that they did not have any food, they undressed and raped her in front of her two

¹⁸⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx66, pages 4 to 5.

¹⁸⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx67; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 101 to 102.

sons and threatened to shoot her sons. She adds that her husband left her for another woman as a consequence of the rape. The applicant states that they also pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 8 November 2002.

Applicant [REDACTED]¹⁸⁷

Claim to victim status

The applicant states that on 7 November 2002, Jean-Pierre Bemba's Banyamulengués entered his house, located in the [REDACTED] area, PK [REDACTED] where he was with his wife and children, started shooting in the air, and then dragged his wife into another room where four Banyamulengués raped her. He states that they also pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁸⁸

¹⁸⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx67, pages 4 to 5.

¹⁸⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx68; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 103 to 104.

¹⁸⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx68, pages 4 to 5.

Analysis and conclusions

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

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

Applicant [REDACTED]¹⁸⁹

Claim to victim status

The applicant states that on 8 November 2002, the Banyamulengués came to his compound, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. He further states that they pillaged and destroyed his house. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁰

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

¹⁸⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx69; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 105 to 106.

¹⁹⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx69, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 8 November 2002.

Applicant [REDACTED]⁹¹

Claim to victim status

The applicant states that on 8 November 2002, Jean-Pierre Bemba's men came to his compound, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. He further states that they pillaged his belongings, raped his wife, beat his children and drove him out of the house. He also states that the alleged events provoked a psychological shock to his wife and his children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 8 November 2002.

¹⁹¹ ICC-01/05-01/08-1884-Conf-Exp-Anx70; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 107 to 108.

¹⁹² ICC-01/05-01/08-1884-Conf-Exp-Anx70, pages 4 to 5.

Applicant ██████████¹⁹³

Claim to victim status

The applicant states that on 9 November 2002, on her way home to Bangui from a trip in ██████████ in PK ██████████ the Banyamulengués intercepted the car she and her family were travelling in and pillaged all their belongings. She further alleges that they dragged her daughter under a mango tree, undressed her and raped her, which had moral consequences on her family and led until today to humiliation and laughs from other persons. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁹⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in P ██████████ on 9 November 2002.

Applicant ██████████¹⁹⁵

¹⁹³ ICC-01/05-01/08-1884-Conf-Exp-Anx71; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 109 to 110.

¹⁹⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx71, pages 4 to 5.

¹⁹⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx72; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 111 to 112.

Claim to victim status

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

It is stated that on 7 November 2002, the Banyamulengués entered the applicant's house, located in the [REDACTED] area of PK [REDACTED] and raped her. It is said that the applicant, who was eight years old, tried to resist by biting a soldier's finger and he responded by punching her in the face and in her chest. It is further alleged that the applicant lost most of her teeth and had health problems that precipitated her death. In the death certificate appended to the application, it is indicated that the death occurred on [REDACTED] July 2006. It is also claimed that the applicant's belongings were pillaged. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.¹⁹⁶

Analysis and conclusions

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

Having considered the application as a whole, the Chamber considers that, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]¹⁹⁷

¹⁹⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx72, pages 4 to 5.

¹⁹⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx73; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 113 to 114.

Claim to victim status

The applicant states that between 25 and 30 October 2002, she and her family were displaced from the [REDACTED] area of Bangui, together with the rest of the population, to another part of the city that was not affected by the Banyamulengués attack. She claims that during her absence, the Banyamulengués broke down the doors to her house with their guns and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁹⁸

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,¹⁹⁹ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui between 26 and 30 October 2002.

¹⁹⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx73, pages 4 to 5 and 8.

¹⁹⁹ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

Applicant [REDACTED]²⁰⁰

Claim to victim status

The applicant states that between 25 and 30 October 2002, in Bangui, she and her family were forced to flee to an area that was not affected by the Banyamulengués' attacks. She states that during her absence, her house was completely pillaged by the MLC soldiers of Jean-Pierre Bemba. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰¹

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁰² the accused is charged with the crimes of murder, rape and pillage committed from "on or about" 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

²⁰⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx75; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 115 to 116.

²⁰¹ ICC-01/05-01/08-1884-Conf-Exp-Anx75, pages 4 to 5.

²⁰² Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

Applicant [REDACTED]²⁰³

Claim to victim status

The applicant states that between 26 and 30 October 2002, the MLC soldiers of Jean-Pierre Bemba came to his house, located in Bangui, interrogated him several times, as they believed that he was a combatant fighting against ex-President Ange-Félix Patassé, and asked him to leave the house without taking any property. The applicant claims that in order to save their lives, he and his family fled from the area and, in his absence, his house was ransacked and his property was pillaged. As a result of the alleged events, the applicant claims to have suffered material harm.²⁰⁴

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 Bangui between 26 and 30 October 2002.

Applicant [REDACTED]²⁰⁵

Claim to victim status

²⁰³ ICC-01/05-01/08-1884-Conf-Exp-Anx76; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 117 to 118.

²⁰⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx76, pages 4 to 5 and 9.

²⁰⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx77; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 119 to 120.

The applicant states that on 7 November 2002, she was convalescing and unable to move when the Banyamulengués came to her house, located in PK [REDACTED] and asked her for something to eat. The applicant states that after she told them that she did not have any food they told her to go to the back of the house and when she refused to do so they began to brutalize her, threw her on the ground, raped her and took her belongings from the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰⁶

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 and her rape by the Banyamulengués of Jean-Pierre Bemba in PK [REDACTED] on 7 November 2002.

Applicant [REDACTED]²⁰⁷

Claim to victim status

The applicant states that on 1 November 2002, one week after having given birth, Mr Bemba's men came to her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. She further states that four of them raped her while the others pillaged her

²⁰⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx77, pages 4 to 5.

²⁰⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx78; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 121 to 122.

belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]²⁰⁹

Claim to victim status

The applicant states that on 8 November 2002, the Banyamulengués came to his house, located in the [REDACTED] area of Bangui, where he was with his brother. The applicant states that the soldiers beat his head with their guns. He states that when he refused to give them his cell phone, they started torturing him. He states that they pillaged his belongings, took him hostage for a period of two weeks and three days and forced him to carry their loot. The applicant claims that after ten days, he managed to escape. The applicant lists and values his loss.

²⁰⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx78, pages 4 to 5.

²⁰⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx81; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 123 to 124.

As a result of the alleged events, the applicant claims to have suffered physical and material harm.²¹⁰

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 Bangui on an unspecified date as of 8 November 2002.

Applicant [REDACTED]²¹¹

Claim to victim status

The applicant states that on 1 November 2002, Mr Bemba's Banyamulengués entered her house, located in [REDACTED] PK [REDACTED] where she was with her children who fled upon their arrival. She claims that they stopped her from leaving and five of the rebels raped her one after the other. She claims that they also pillaged her belongings. The applicant further states that her husband abandoned her as a consequence of the rape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²¹²

Analysis and conclusions

²¹⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx81, pages 4 to 5.

²¹¹ ICC-01/05-01/08-1884-Conf-Exp-Anx82; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 125 to 126.

²¹² ICC-01/05-01/08-1884-Conf-Exp-Anx82, pages 4 to 5.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 1 November 2002.

Applicant [REDACTED]²¹³

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba's Banyamulengués came into his house, located in the [REDACTED] area, PK [REDACTED] where he was with his children and wife, and they beat one of his sons and dragged one of his daughters onto a bed where three of the rebels raped her. He states that they also pillaged some of his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹⁴

Analysis and conclusions

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

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

²¹³ ICC-01/05-01/08-1884-Conf-Exp-Anx84; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 127 to 128.

²¹⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx84, pages 4 to 5.

that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]²¹⁵

Claim to victim status

The applicant states that on 1 November 2002, she was driving on her motorcycle back from work, in PK12, when four of Jean-Pierre Bemba's Banyamulengués who were patrolling the area, surrounded her, forced her to get off the motorcycle and took it along with her bag and other belongings. She states that when she returned to her house, located in the area of [REDACTED] PK [REDACTED] she found that all her belongings had been pillaged. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁶

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 PK [REDACTED] on 1 November 2002.

²¹⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx85; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 129 to 130.

²¹⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx85, pages 4 to 5.

Applicant [REDACTED]²¹⁷

Claim to victim status

The applicant states that on 1 November 2002, Jean-Pierre Bemba's Banyamulengués came to his house and his shop, located in the [REDACTED] area of [REDACTED] PK [REDACTED] where he was with three of his colleagues, and threatened to kill them. He claims that they pillaged some of his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²¹⁸

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 1 November 2002.

Applicant [REDACTED]²¹⁹

Claim to victim status

The applicant states that on 1 November 2002, she was raped in her house, located in the [REDACTED] area of [REDACTED] by three of Jean-Pierre Bemba's Banyamulengués. She claims that they undressed her, threw her onto the bed

²¹⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx86; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 131 to 132.

²¹⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx86, pages 4 to 5.

²¹⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx89; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 133 to 134.

and raped her one after the other. She further states that they tied her two brothers with ropes and beat them. She states that before leaving, they also pillaged some of their belongings. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 1 November 2002.

Applicant [REDACTED]²²¹

Claim to victim status

The applicant states that on 2 November 2002, the Banyamulengués invaded her house, located in the [REDACTED] area of PK [REDACTED], and threatened to kill her if she would not undress. The applicant states that when she refused to do so, they threw her on the bed, removed her clothes by force and four of them raped her one after the other. She further states that they pillaged her belongings. As a

²²⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx89, pages 4 to 5.

²²¹ ICC-01/05-01/08-1884-Conf-Exp-Anx90; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 135 to 136.

result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of P [REDACTED] on 2 November 2002.

Applicant [REDACTED]²²³

Claim to victim status

The applicant states that in 2002, she was on her way to the [REDACTED] located in PK [REDACTED] to sell her goods, when a boy told her that the soldiers had entered the area. Consequently, the applicant fled and fell in a big hole where she got injured. The applicant claims that her belongings were pillaged. The applicant identifies the Banyamulengués as responsible for the events. She adds that the events occurred at the time when Mr Bozizé tried to take power by force and when the Banyamulengués had invaded P [REDACTED] to abduct the Muslim community. As a

²²² ICC-01/05-01/08-1884-Conf-Exp-Anx90, pages 4 to 5.

²²³ ICC-01/05-01/08-1884-Conf-Exp-Anx91; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 137 to 138.

result of the alleged events, the applicant claims to have suffered physical and material harm.²²⁴

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (2002) is broad and as such might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, notably the reference to the invasion of PK[REDACTED] by the Banyamulengués and Mr Bozizé's attempt to take power by force, the Chamber is of the view that the failure to provide a precise date shall not serve to exclude the applicant. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 PK[REDACTED] on an unspecified date between 26 October 2002 and 15 March 2003.

Applicant [REDACTED]⁵

Claim to victim status

The applicant states that in October or November 2002, upon her return from [REDACTED] the Banyamulengués invaded her house, located in the [REDACTED] area of Bangui, and after having put her on the ground they pillaged all her belongings.

²²⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx91, pages 4 to 5 and 8.

²²⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx92; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 139 to 140.

The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²²⁶

Analysis and conclusions

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

The Chamber notes that the date provided by the applicant (October or November 2002) is broad and, as such, might fall outside the temporal scope of the present case. However, in light of the intrinsic coherence of the application in all other respects, notably the fact that the alleged perpetrators were identified as the Banyamulengués who were speaking Lingala, and given that a number of applicants refer to the occupation of [REDACTED] by the Banyamulengués as of 26 October 2002, the Chamber is of the view that the failure to provide a precise date shall not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 Bangui on an unspecified date between 26 October 2002 and 30 November 2002.

Applicant [REDACTED]²²⁷

Claim to victim status

²²⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx92, pages 4 to 5.

²²⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx93; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 141 to 142.

The applicant states on 30 October 2002, the Banyamulengués invaded his son’s shop, located in PK█, pillaged the store and the money, shot his son in the head and slit his throat. The applicant appends a death certificate stating that the death occurred on 30 October 2002. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and his son, as well as the kinship between them.

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 murder of his son by the Banyamulengués of Jean-Pierre Bemba in PK█ on 30 October 2002.

Applicant █²²⁹

Claim to victim status

The applicant states that in November 2002, when armed men travelling in four vehicles came to PK█ the population fled. According to the applicant, at the time, he was the owner of a welding workshop and on the day the alleged events occurred, he was teaching his students when a group of six Banyamulengués soldiers entered the workshop. He states that the soldiers spoke to him in Lingala saying “pessagaye bongo” and he understood that they were asking for money so he responded that he did not have any money. He adds that they pillaged the

²²⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx93, pages 4 to 5.

²²⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx96; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 143 to 144.

workshop. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁰

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 PK [REDACTED] on an unspecified date in November 2002.

Applicant [REDACTED]²³¹

Claim to victim status

The applicant states that on 8 November 2002, she fled with her children and when she returned to her house, located in [REDACTED] three of Jean-Pierre Bemba's armed Banyamulengués stopped her and asked them for money. She claims that she was then forced to undress, and was raped by all of the men. She states that they held her hostage and repeatedly raped her until she was released on 10 November 2002. The applicant further recalls that upon her return to her house, she found that her belongings had been pillaged. The applicant values her loss.

²³⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx96, pages 4 to 5 and 8 to 9.

²³¹ ICC-01/05-01/08-1884-Conf-Exp-Anx98; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 145 to 146.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 8 November 2002.

Applicant [REDACTED]²³³

Claim to victim status

The applicant states that on 28 October 2002, she was able to flee before the Banyamulengués arrived and occupied and pillaged her house. The applicant lists her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁴

Analysis and conclusions

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

²³² ICC-01/05-01/08-1884-Conf-Exp-Anx98, pages 4 to 5 and 8 to 9.

²³³ ICC-01/05-01/08-1884-Conf-Exp-Anx99; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 147 to 148.

²³⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx99, pages 4 to 5 and 8 to 9.

The Chamber notes that the applicant fails to provide a precise location for the alleged events and merely states that the alleged events occurred at her house. However, given that applicants ██████████ and ██████████ who are related to the applicant and refer to the same events, clearly state that the alleged events occurred in the ██████████ area of Bangui, the Chamber infers that the alleged events occurred in the ██████████ area of Bangui. Therefore, 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 ██████████ area of Bangui on an unspecified date as of 28 October 2002.

Applicant ██████████²³⁵

Claim to victim status

The applicant states that on 28 October 2002, upon his return from France to his house, located in the ██████████ area of Bangui, he found that his belongings, which he lists, had been pillaged by the Banyamulengués. The applicant further states that he found drugs and Kalashnikov ammunition in his house. As a result of the alleged events, the applicant claims to have suffered material harm.²³⁶

Analysis and conclusions

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

²³⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx100; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 149 to 150.

²³⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx100, pages 4 to 5 and 8 to 9.

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 Bangui on 28 October 2002.

Applicant [REDACTED]²³⁷

Claim to victim status

The applicant is absent due to her studies and the application is introduced with her consent on her behalf by her father.

It is stated that on 28 October 2002, the applicant just had enough time to flee the house, located in Bangui, with her mother, when the Banyamulengués arrived and pillaged the house. The loss is listed. As a result of the alleged events, it is claimed that the applicant suffered material harm.²³⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of both the applicant and her father, who is acting on her behalf, the kinship between them as well as the consent given by the applicant for her application being submitted on her behalf by her father.

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

²³⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx101; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 151 to 152.

²³⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx101, pages 4 to 5 and 9 to 10.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 October 2002.

Applicant [REDACTED]²³⁹

Claim to victim status

The applicant states that on 27 November 2002 in [REDACTED] PK [REDACTED], seven of Jean-Pierre Bemba's armed men, who were wearing military clothes and were speaking Lingala, came to her house. The applicant alleges that four of these men raped her and three others pillaged her house. The applicant further claims that once the men left, she took refuge in a field. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 27 November 2002.

Applicant [REDACTED]²⁴¹

²³⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx102; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 153 to 154.

²⁴⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx102, pages 4 to 5 and 9.

²⁴¹ ICC-01/05-01/08-1884-Conf-Exp-Anx103; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 155 to 156.

Claim to victim status

The applicant states that on 27 October 2002, she was taking refuge in her grandmother's fields, in ██████ PK ██████, when nine of Jean-Pierre Bemba's armed men, who were wearing military clothes and spoke Lingala, raped her one after another. The applicant further alleges that her belongings were pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date as of 27 October 2002.

Applicant ██████²⁴³

Claim to victim status

The applicant states that on 28 October 2002, when Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, came to ██████ he decided to flee to the village of ██████ together with his family,

²⁴² ICC-01/05-01/08-1884-Conf-Exp-Anx103, pages 4 to 5 and 9.

²⁴³ ICC-01/05-01/08-1884-Conf-Exp-Anx104; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 157 to 158.

bringing along only small bags with clothes. The applicant alleges that when he returned to his house, five months later, he found that all his belongings were missing and the doors, windows and roof of the house had been destroyed by a shell. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ on an unspecified date as of 28 October 2002.

Applicant ██████████⁵

Claim to victim status

The applicant states that on 26 October 2002, Jean-Pierre Bemba's armed men, who were wearing military uniforms and speaking Lingala, invaded her house, located in ██████████ pillaged her property and three of them raped her one after the other. The applicant claims that once they left she was tired and almost fainted but managed to flee to the ██████████ village to take refuge. The applicant states that she took refuge in ██████████ for a period of five months

²⁴⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx104, pages 4 to 5 and 9.

²⁴⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx105; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 159 to 160.

without having any contact with her husband and children who had previously fled in a disorganized manner. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]²⁴⁷

Claim to victim status

The applicant states that on 26 October 2002, the applicant and his family took refuge in the fields and upon their return to [REDACTED] on 18 March 2003, they found that all their belongings, livestock and shop had been pillaged by Jean-Pierre Bemba's men. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁸

²⁴⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx105, pages 4 to 5 and 9.

²⁴⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx106; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 161 to 162.

²⁴⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx106, pages 4 to 5 and 9.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 26 October 2002 and 15 March 2003.

Applicant [REDACTED]²⁴⁹

Claim to victim status

The applicant states that on 17 November 2002, Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala, came to his neighbor's house, which forced him to flee with his family, leaving all their belongings behind. The applicant claims that he took refuge in a village, [REDACTED] kilometres from PK [REDACTED] and that upon his return, six months later, he found that all of his belongings had been pillaged. He appends a document in which he lists and values his loss. As a result of these alleged events, the applicant claims to have suffered material harm.²⁵⁰

Analysis and conclusions

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

²⁴⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx107; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 163 to 164.

²⁵⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx107, pages 4 to 5 and 10 to 11.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 17 November 2002.

Applicant [REDACTED]²⁵¹

Claim to victim status

The applicant states that on 17 November 2002, in [REDACTED] PK [REDACTED], Jean-Pierre Bemba's armed men, who were speaking Lingala, came to his house and beat him with their guns, whilst other men pillaged his home. The applicant claims that he and his family fled to the area of [REDACTED] and upon their return, six months later, there were no more windows and doors and nothing left in their house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁵²

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

²⁵¹ ICC-01/05-01/08-1884-Conf-Exp-Anx108; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 165 to 166.

²⁵² ICC-01/05-01/08-1884-Conf-Exp-Anx108, pages 4 to 5 and 9 to 10.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 17 November 2002.

Applicant [REDACTED]²⁵³

Claim to victim status

The applicant states that on 4 November 2002, Jean-Pierre Bemba's men came to her house located in [REDACTED] took her hostage and raped and tortured her. She states that they took her with them to Bossembélé, where they imprisoned her and used her as their sex slave for three months. The applicant claims that she was able to escape and walk back to Bangui, where her parents had already prepared a burial site with her name. The applicant also claims that her belongings were pillaged and appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁴

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 is therefore satisfied 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the

²⁵³ ICC-01/05-01/08-1884-Conf-Exp-Anx109; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 231 to 232.

²⁵⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx109, pages 4 to 5 and 8.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 4 November 2002.

Applicant [REDACTED]²⁵⁵

Claim to victim status

The applicant states that on 28 November 2002, he was in his shop, located in [REDACTED] PK [REDACTED], when Jean-Pierre Bemba's armed men, who were wearing military uniforms, entered the shop, tortured the applicant and pillaged all the products in his shop. The applicant claims that he fled, and when he returned five months later, he found that all his property had been pillaged. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁵⁶

Analysis and conclusions

The Chamber notes a discrepancy of seven years between the date of birth as appearing in the application form and on the birth certificate attached thereto. However, given that the remainder of the information provided in the birth certificate, including the day and month of birth, 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.

²⁵⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx110; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 167 to 168.

²⁵⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx110, pages 4 to 5 and 8.

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 on and as of 28 November 2002.

Applicant [REDACTED]²⁵⁷

Claim to victim status

The applicant states that on 30 November 2002, in [REDACTED] PK [REDACTED], Jean-Pierre Bemba's men came to her house and three men raped her while the others pillaged her belongings. The applicant claims that she fled and when she returned five months later, she found that her house had been destroyed. The applicant appends a document in which she lists and values her loss. The applicant also appends a medical document that certifies that she is HIV positive. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁸

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

²⁵⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx111; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 169 to 170.

²⁵⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx111, pages 4 to 5 and 9 to 10.

Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 30 November 2002.

Applicant [REDACTED]²⁵⁹

Claim to victim status

The applicant states that on 30 October 2002, Jean-Pierre Bemba's men came to her house, located in [REDACTED] and pillaged her belongings and beat her. She claims that she lost consciousness and does not know what happened next, but she was told that she was taken to a field, where she stayed for five months. She states that she still suffers from the beating. The applicant claims that upon her return, she found that all her property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁶⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 30 October 2002.

²⁵⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx112; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 171 to 172.

²⁶⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx112, pages 4 to 5 and 8.

Applicant [REDACTED]¹

Claim to victim status

The applicant states that on 28 October 2002, Jean-Pierre Bemba's men came to her house, located in [REDACTED] and pillaged all of her belongings. She claims that she fled, and upon her return, five months later, she found that all her property had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]²⁶³

Claim to victim status

The applicant states that on 28 October 2002, around twenty of Jean-Pierre Bemba's armed men, who were speaking Lingala and wearing uniforms, invaded her house, located in [REDACTED] PK [REDACTED], pillaged her belongings and raped

²⁶¹ ICC-01/05-01/08-1884-Conf-Exp-Anx113; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 173 to 174.

²⁶² ICC-01/05-01/08-1884-Conf-Exp-Anx113, pages 4 to 5 and 8.

²⁶³ ICC-01/05-01/08-1884-Conf-Exp-Anx114; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 175 to 176.

her. She adds that she was five months pregnant at the time. According to the applicant, two days after the alleged events, the Banyamulengués let her go and she went seven kilometres from her house where she had a miscarriage and gave birth to stillborn twins. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ on 28 October 2002.

Applicant ██████████⁵

Claim to victim status

The applicant states that on 29 October 2002, he left his house located in ██████████ PK ██████████, due to the presence of the armed men of Jean-Pierre Bemba who were speaking Lingala and were committing crimes, including rape, sexual violence and pillage. The applicant states that he took refuge in the ██████████ area for a period of five months and that upon his return, he found that all his belongings had been pillaged. The applicant appends a document in which he lists and values

²⁶⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx114, pages 4 to 5 and 9.

²⁶⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx115; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 177 to 178.

his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date as of 29 October 2002.

Applicant ██████²⁶⁷

Claim to victim status

The applicant states that on 26 October 2002, she fled with her two-year-old daughter because of the acts of violence committed by the men of Jean-Pierre Bemba in ██████. The applicant alleges that a group of around one hundred armed men, wearing uniforms and speaking Lingala, was next to the road to ██████ in PK ██████ and some of them intercepted her and six of them raped her. She appends a document in which she lists and values her pillaged items. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶⁸

Analysis and conclusions

²⁶⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx115, pages 4 to 5 and 8.

²⁶⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx116; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 179 to 180.

²⁶⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx116, pages 4 to 5 and 9.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on and as of 29 October 2002.

Applicant [REDACTED]²⁶⁹

Claim to victim status

The applicant states that on 28 October 2002, when he saw that Jean-Pierre Bemba's men, who were wearing military uniforms and speaking Lingala, came to his farm, located in [REDACTED] he fled with his family, leaving everything behind. He claims that they pillaged his belongings and livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁷⁰

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

²⁶⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx117; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 181 to 182.

²⁷⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx117, pages 4 to 5 and 8.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]²⁷¹

Claim to victim status

The applicant states that on 27 October 2002, in [REDACTED] P [REDACTED] the armed men of Jean-Pierre Bemba shot at her door with a Kalashnikov and seven armed men, wearing military uniforms, entered the house and raped her. She claims that after they left, she could not stand up for five hours until another group of these men came and pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁷²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 27 October 2002.

Applicant [REDACTED]²⁷³

Claim to victim status

²⁷¹ ICC-01/05-01/08-1884-Conf-Exp-Anx118; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 183 to 184.

²⁷² ICC-01/05-01/08-1884-Conf-Exp-Anx118, pages 4 to 5 and 8.

²⁷³ ICC-01/05-01/08-1884-Conf-Exp-Anx119; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 185 to 186.

The applicant states that on 28 October 2002, she was still in bed when a group of about twenty armed men of Jean-Pierre Bemba, who were wearing military uniforms and speaking Lingala, broke into her house, located in [REDACTED]. She states that eleven men raped her while the others pillaged her belongings. Since that day, she contends that she has not been in good health and has not had the means to receive treatment. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁷⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 October 2002.

Applicant [REDACTED]²⁷⁵

Claim to victim status

The applicant claims that between 25 and 30 October 2002, eight of Jean-Pierre Bemba's men came to her compound, located in [REDACTED] close to PK [REDACTED]. The applicant states that they took her by force and undressed her. The applicant states that the first man undressed her, spread her legs and pulled out his penis in order to rape her. The applicant states that the eight soldiers raped her one

²⁷⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx119, pages 4 to 5.

²⁷⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx121; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 189 to 190.

after the other. The applicant states that they insulted her and asked her to leave her house without taking anything. The applicant states that she took refuge, together with her children, in another area. The applicant states that she is ashamed to appear in public. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.²⁷⁶

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁷⁷ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁷⁸

Claim to victim status

²⁷⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx121, pages 4 to 5.

²⁷⁷ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

²⁷⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx123; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 191 to 192.

The applicant claims that between 25 and 30 October 2002, during his absence, the Banyamulengués completely pillaged his house, located in Bangui. He further claims that the Banyamulengués took his two boats. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁷⁹

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁸⁰ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁸¹

Claim to victim status

²⁷⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx123, pages 4 to 5.

²⁸⁰ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

²⁸¹ ICC-01/05-01/08-1884-Conf-Exp-Anx124; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 193 to 194.

The applicant claims that between 26 and 30 October 2002, nine Banyamulengués came to his house, located in Bangui, raped his two daughters and tied him with a rope. The applicant further states that the soldiers pillaged many of his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁸²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁸³

Claim to victim status

The applicant claims that between 26 and 30 October 2002, seven of Jean-Pierre Bemba’s soldiers intercepted her in her house, located in Bangui. The applicant states that the seven soldiers raped her one after the other in front of her children. The applicant further states that they insulted her and took two bottles

²⁸² ICC-01/05-01/08-1884-Conf-Exp-Anx124, pages 4 to 5.

²⁸³ ICC-01/05-01/08-1884-Conf-Exp-Anx125; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 195 to 197.

of alcohol and a sum of money with them. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.²⁸⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁸⁵

Claim to victim status

The applicant claims that between 25 and 30 October 2002, when the Banyamulengués came to Bangui, she fled to another area. The applicant states that upon her return, she found that her house had been pillaged. The applicant states that she is a widow and that nobody can take care of her and her children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁸⁶

Analysis and conclusions

²⁸⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx125, pages 4 to 5.

²⁸⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx126; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 197 to 198.

²⁸⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx126, pages 4 to 5.

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁸⁷ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁸⁸

Claim to victim status

The applicant claims that between 25 and 30 October 2002, five MLC soldiers came to her house, located in Bangui, asking for her husband. The applicant states that she communicated to them through gestures, since she did not speak Lingala, that her husband was dead. The applicant states that one soldier pulled out his penis and asked her to undress, but that she refused. The applicant states that another soldier then took her to the bed, undressed her by force and asked the other soldiers to sleep with her. The applicant states that the five soldiers

²⁸⁷ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

²⁸⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx127; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 199 to 200.

raped her one after the other in front of her children. The applicant states that the soldiers took all the beds with them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸⁹

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁹⁰ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002.

Applicant [REDACTED]²⁹¹

Claim to victim status

The applicant claims that between 25 and 30 October 2002, upon the arrival of Jean-Pierre Bemba’s men, he and his family left their house, located in Bangui,

²⁸⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx127, pages 4 to 5.

²⁹⁰ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

²⁹¹ ICC-01/05-01/08-1884-Conf-Exp-Anx128; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 201 to 202

PK [REDACTED] and took refuge in another area. The applicant states that upon his return, one month later, he found that his belongings and livestock had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁹²

Analysis and conclusions

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

The Chamber notes that the applicant states that the events started on 25 October 2002. In this respect, the Chamber recalls that according to the Revised Second Amended Document Containing the Charges, which has been accepted by the Chamber,²⁹³ the accused is charged with the crimes of murder, rape and pillage committed from “on or about” 26 October 2002 to 15 March 2003. Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui on an unspecified date between 26 and 30 October 2002

Applicant [REDACTED]²⁹⁴

Claim to victim status

²⁹² ICC-01/05-01/08-1884-Conf-Exp-Anx128 pages 4 to 5.

²⁹³ Decision on the defence application for corrections to the Document Containing the Charges and for the prosecution to file a Second Amended Document Containing the Charges, 20 July 2010, ICC-01/05-01/08-836, paragraphs 84 to 86.

²⁹⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx131; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 203 to 204.

The applicant claims that on 30 October 2002, the Banyamulengués came to the house of her three sisters, located in the [REDACTED] area of Bangui. The applicant states the Banyamulengués wanted to rape her sisters and when her two brothers, who were visiting her sisters that day, tried to intervene, they were killed. The applicant states that the soldiers raped her three sisters, who were infected with HIV and died a few months later, and pillaged their house. The applicant appends declarations of death for her two brothers and two of the sisters. As a result of the alleged events, the applicant claims to have suffered psychological and harm.²⁹⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and the identity of her two brothers and of two of her sisters and the kinship between them.

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 murder of her two brothers and the rape of her three sisters by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 30 October 2002.

Applicant [REDACTED]²⁹⁶

Claim to victim status

²⁹⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx131 pages 4 to 5 and 8.

²⁹⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx162; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 207 to 208.

The applicant states that on 3 March 2003, he was at work when he was told that the Banyamulengués were in front of his house. The applicant claims that when he arrived in his area in [REDACTED] he saw that they were patrolling the area. He alleges that they pillaged his belongings, beat him and raped his wife, who was infected with a sexually transmitted disease. The applicant appends a document in which he lists and values his loss. He further appends a medical certificate. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁷

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. However, as the applicant does not submit any document demonstrating the kinship with his wife, only pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]⁸

Claim to victim status

The applicant states that on 12 November 2002, she was at the market when her son told her that the men of Jean-Pierre Bemba were at her house, located in the

²⁹⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx162, pages 4 to 5 and 8 to 9.

²⁹⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx163; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 209 to 210.

██████████ area of ██████████ P ██████████. The applicant states that she took her children and fled without taking anything. She claims that she returned to her house 24 hours later and discovered that her belongings had been taken. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁹⁹

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 ██████████ area of ██████████ on 12 or 13 November 2002.

Applicant ██████████³⁰⁰

Claim to victim status

The applicant states that on 26 February 2003, he left the university to visit his older brother at his store in P ██████████. He claims that while they were in the store, Mr Bemba's armed men, who were wearing military uniforms, arrived. He alleges that they asked them for money and immobilized his brother on the floor. He further alleges that they stripped him naked and searched him to take his belongings. He states that when he heard gunshots, he thought they had shot his brother and when he turned round to see what had happened, they shot at him,

²⁹⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx163, pages 4 to 5 and 9.

³⁰⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx164; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 211 to 212.

fracturing his left arm. The applicant claims that they emptied the store and took his belongings. The applicant appends a number of invoices for the pillaged belongings as well as medical documents confirming his injury. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³⁰¹

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 his attempted murder and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in P [REDACTED] on 26 February 2003.

Applicant [REDACTED]³⁰²

Claim to victim status

The applicant states that on 12 December 2002, Jean-Pierre Bemba's men pillaged her house, located in the area of [REDACTED] and four of the nine men proceeded to rape her. The applicant appends a medical document which certifies that she is HIV positive. She adds that she was abandoned by her husband. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰³

³⁰¹ ICC-01/05-01/08-1884-Conf-Exp-Anx164, pages 4 to 6, 9 and 11 to 20.

³⁰² ICC-01/05-01/08-1884-Conf-Exp-Anx165; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 213 to 214.

³⁰³ ICC-01/05-01/08-1884-Conf-Exp-Anx165, pages 4 to 5 and 8.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 12 December 2002.

Applicant [REDACTED]³⁰⁴

Claim to victim status

The applicant states that on 16 November 2002, she and her family were forced to flee from their house, located in [REDACTED] PK [REDACTED], because of an attack of the Banyamulengués, who then proceeded to pillage her house. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁵

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

³⁰⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx168; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 215 to 216.

³⁰⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx168, pages 4 to 5 and 9.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 16 November 2002.

Applicant [REDACTED]³⁰⁶

Claim to victim status

The applicant states that on 7 February 2003, he and his family were forced to flee from their house, located in [REDACTED] PK [REDACTED] due to an attack of the Banyamulengués who were shooting in the air. He states that the men took this opportunity to pillage his house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁷

Analysis and conclusions

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

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

Applicant [REDACTED]³⁰⁸

Claim to victim status

³⁰⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx169; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 217 to 218.

³⁰⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx169, pages 5 to 6 and 10.

³⁰⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx170; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 219 to 220.

The applicant states that on 10 March 2003, when Jean-Pierre Bemba's armed soldiers came to his henhouse, located in ██████ PK █████ he fled together with his employees. He states that the Banyamulengués pillaged his henhouse and his livestock. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁰⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on an unspecified date as of 10 March 2003.

Applicant ██████³¹⁰

Claim to victim status

The applicant states that on 20 November 2002, when the Banyamulengués came to his house, located in the ██████ area of ██████ PK █████ shooting in the air with Kalashnikovs, he fled together with his family and the soldiers pillaged his house. The applicant appends a document in which he lists and values his loss.

³⁰⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx170, pages 4 to 5 and 9.

³¹⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx171; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 221 to 222.

As a result of the alleged events, the applicant claims to have suffered material harm.³¹¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 20 November 2002.

Applicant [REDACTED]³¹²

Claim to victim status

The applicant states that on 17 December 2002, ten of Jean-Pierre Bemba's armed Banyamulengués entered his house, located in the [REDACTED] area of [REDACTED] PK [REDACTED]. He states that five of them beat him while the other five pillaged his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³¹³

Analysis and conclusions

³¹¹ ICC-01/05-01/08-1884-Conf-Exp-Anx171, pages 5 and 10.

³¹² ICC-01/05-01/08-1884-Conf-Exp-Anx173; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 223 to 224.

³¹³ ICC-01/05-01/08-1884-Conf-Exp-Anx173, pages 4 to 5 and 9.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 17 December 2002.

Applicant [REDACTED]³¹⁴

Claim to victim status

The applicant states that on 5 January 2003, eight of Jean-Pierre Bemba's Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] PK [REDACTED] which caused her and her family to panic and flee. She claims that upon their return, she found that her house had been pillaged. The applicant appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³¹⁵

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-

³¹⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx174; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 225 to 226.

³¹⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx174, pages 4 to 5 and 9.

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

Applicant [REDACTED]⁶

Claim to victim status

The applicant states that on 8 January 2003, seven of Jean-Pierre Bemba's Banyamulengués invaded his house, located in the [REDACTED] area of [REDACTED] P [REDACTED], firing their guns, causing him and his family to flee. He claims that during their absence, the men pillaged his house. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³¹⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 8 January 2003.

Applicant [REDACTED]³¹⁸

³¹⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx175; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 227 to 228.

³¹⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx175, pages 4 to 5 and 9.

³¹⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx176; ICC-01/05-01/08-1886-Conf-Exp-Anx3, pages 229 to 230.

Claim to victim status

The applicant states that in 2002, the Banyamulengués invaded P [REDACTED] to chase Mr Bozizé's rebels and occupied her house. She contends that, as a consequence, she had to flee to the [REDACTED] area. One month later, she returned to her house because the soldiers had been sent to the front at [REDACTED]. According to the applicant, upon her return, she found that her house had been ransacked and that the rebels had taken all her belongings and those of her family. The applicant appends a document in which she list and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.³¹⁹

Analysis and conclusions

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

The Chamber notes that in the description of the events, the applicant states that the events occurred in 2002 while under the question when the events occurred, it is stated that the events occurred at the end of October 2011. However, in light of the intrinsic coherence of the application in all other respects, and notably the reference to the occupation of PK [REDACTED] by the Banyamulengués who were chasing Mr Bozizé's rebels and later moved to [REDACTED] the Chamber is of the view that this discrepancy might be the result of inadvertent error and should not serve to exclude the applicant.

Under these circumstances, the Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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

³¹⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx176, pages 4 to 5 and 9.

Banyamulengués of Jean-Pierre Bemba in P [REDACTED] on an unspecified date as of 26 October 2002.

Applicant [REDACTED]³²⁰

Claim to victim status

The applicant states that on 30 and 31 October 2002, Jean-Pierre Bemba's rebel forces entered the CAR, came to the [REDACTED] area of [REDACTED] entered his house and pillaged all his belongings. The applicant appends a document in which he lists and values his loss. In the document appended to the application, it is further stated that the applicant's shop was completely destroyed. The applicant states that the Banyamulengués left the area on 21 November 2002. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²¹

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] between 30 October 2002 and 21 November 2002.

³²⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx204; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 9 to 10.

³²¹ ICC-01/05-01/08-1884-Conf-Exp-Anx204, pages 9 to 11 and 21 to 24.

Applicant ██████████³²²

Claim to victim status

The applicant states that on 1 November 2002, while he was at home with his family, the Banyamulengués broke into their house, located in the area of ██████████ ██████████ PK ██████████, and forced them to leave. He says that his family left the house in a disorganized manner and without taking any of their belongings. He alleges that the soldiers occupied his house from November 2002 to March 2003 and looted their belongings. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²³

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that the Chamber noted a discrepancy of 31 years between the date of birth as appearing in the application form and on the documents attached thereto and therefore considered that the identity of the applicant was not sufficiently established.³²⁴ However, in an additional statement appended to the application form, the applicant clarifies that this discrepancy is due to inadvertent error committed by the intermediary in filling the form and confirms that his date of birth is the one indicated on both his identity card and his driving license. Therefore, the Chamber is of the view that the identity of the applicant is sufficiently demonstrated.

³²² ICC-01/05-01/08-1884-Conf-Exp-Anx210; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 11 to 12.

³²³ ICC-01/05-01/08-1884-Conf-Exp-Anx210, pages 9 to 11, 18 and 21 to 23.

³²⁴ ICC-01/05-1091-Conf-Exp-AnxA, page 107.

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 PK [REDACTED] on an unspecified date between 1 November 2002 and 15 March 2003.

Applicant [REDACTED]³²⁵

Claim to victim status

The applicant states that in November 2002, she was at home together with her sick husband, in the [REDACTED] area of Bangui, when Jean-Pierre Bemba’s men came to the house and four of them raped her in front of her husband. According to the applicant, this precipitated the death of her husband, who passed away three days later. The applicant declares that because she tried to resist the rape the soldiers also beat her and she adds that the men pillaged her belongings, which she lists. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²⁶

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

³²⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx214; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 13 to 14.

³²⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx214, pages 9 to 11.

accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on an unspecified date in November 2002.

Applicant [REDACTED]³²⁷

Claim to victim status

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

It is stated that on 22 October 2002, in Bangui, on her way back from school, the applicant was intercepted by the Banyamulengués, who wanted to rape her, and when she tried to flee she was shot dead. The person acting on behalf of the applicant appends a declaration of death indicating that the death occurred on 22 October 2002 and was caused by a bullet. As a result of the alleged events, it is claimed that the applicant suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.³²⁸

Analysis and conclusions

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

The Chamber notes that the date of alleged events (22 October 2002), as confirmed in the death certificate, fall outside of the temporal scope of the charges. Accordingly, the application for participation in the proceedings is rejected.

³²⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx245; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 15 to 16.

³²⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx245, pages 9 to 11, 22, 24 and 27 to 28.

Applicant [REDACTED]³²⁹

Claim to victim status

The applicant states that in November 2002, a group of around ten Banyamulengués broke into her house, located in the [REDACTED] area, and raped her. She states that when her husband, who was a taxi driver, came home and parked his vehicle, he was taken by surprise by the Banyamulengués who killed him in front of the applicant. The applicant appends a declaration of death, according to which her husband died on 24 November 2002. She further states that she had a miscarriage. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.³³⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her deceased husband as well as their kinship.

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 murder of her husband by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 24 November 2002.

Applicant [REDACTED]³³¹

³²⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx246; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 17 to 18.

³³⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx246, pages 9 to 11.

³³¹ ICC-01/05-01/08-1884-Conf-Exp-Anx247; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 19 to 20.

Claim to victim status

The applicant states that on 21 December 2002, Jean-Pierre Bemba’s armed soldiers came to his compound, located in the [REDACTED] area of Bangui, grabbed him and tied him up in front of his family and they then pillaged his belongings. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³³²

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 Bangui on 21 December 2002.

Applicant [REDACTED]³³³

Claim to victim status

The applicant states, in the application form, that on 2 November 2002, he was at his aunt’s house, located in P [REDACTED] Bangui. He states that it was impossible to leave the house because of the presence of the Banyamulengués who had taken control over the area. He alleges that they entered his aunt’s house and found him and his two cousins. The applicant claims that he fled and that one of the

³³² ICC-01/05-01/08-1884-Conf-Exp-Anx247, pages 9 to 11 and 24.

³³³ ICC-01/05-01/08-1884-Conf-Exp-Anx248; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 21 to 22.

Banyamulengués chased him and started shooting in the air to intimidate him. When the soldier finally caught him, they beat and tortured him. He adds that the house was looted. In the additional statement appended to the application form, the applicant explains that in October 2002, he fled from his father's house, located in the [REDACTED] area of [REDACTED] together with his brothers and children and took refuge at their aunt's house, located in PK [REDACTED]. The applicant states that he brought along some of his belongings, notably his clothes and school books, which had been pillaged by the Banyamulengués when they attacked his aunt's house. He further alleges that upon his return to his father's house, he found that his property was pillaged and destroyed. As a result of the alleged events, the applicant claims to have suffered physical and material harm.³³⁴

Analysis and conclusions

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

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that "there [was] no indication, in the application form or in the documents attached thereto, that the applicant used to live at his aunt's place and that the pillaged items were his property."³³⁵ However, in the additional statement, the applicant states that due to the death of his father in 1995, he and his brother went to live in the house of their aunt, who became their tutor. He clarifies that after having spent some years at their aunt's house, they returned to their father's house. However, in October 2002, he fled to PK [REDACTED] where he took refuge at his aunt's house. He clarifies that he took along his clothes and school material that were pillaged by

³³⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx248, pages 9 to 11 and 21 to 22.

³³⁵ ICC-01/05-1091-Conf-Exp-AnxA, page 112.

the Banyamulengués. He further alleges that upon his return to his father's house, he found that his property was pillaged and destroyed.

The Chamber is of the view that in light of the additional information provided, and in the absence of any contradictions with the original account, 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 PK [REDACTED] on 2 November 2002.

Applicant [REDACTED]³³⁶

Claim to victim status

The applicant states that on 27 November 2002, Jean-Pierre Bemba's armed soldiers came to her compound, located in the [REDACTED] area of Bangui, grabbed her and tied her up in front of her family. The applicant states that they pillaged her belongings, which she lists and values, destroyed her pigsty and damaged the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³³⁷

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

³³⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx249; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 23 to 24.

³³⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx249, pages 9 to 11 and 23.

accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 27 November 2002.

Applicant [REDACTED]³³⁸

Claim to victim status

The applicant states that on 2 November 2002, Jean-Pierre Bemba's troops invaded [REDACTED]. According to the applicant, they broke into his house and pillaged all his belongings. The applicant appends a document in which he lists and values his loss and that states that his shop was burned. As a result of the alleged events, the applicant claims to have suffered material harm.³³⁹

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that it “note[d] a discrepancy of 11 years between the date of birth as appearing on the application form on the one hand and on the birth certificate on the other”, considering that “in the absence of any explanation [for this discrepancy] the identity of the applicant is not sufficiently established”.³⁴⁰ However, given that in the additional statement, the applicant confirms that his date of birth is the date appearing on his birth certificate while the date provided in the application form corresponds to the date of birth of the person who accompanied him as a witness when he signed the application, the Chamber is satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

³³⁸ ICC-01/05-01/08-1884-Conf-Exp-Anx250; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 25 to 26.

³³⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx250, pages 9 to 11, 18 and 21.

³⁴⁰ ICC-01/05-1091-Conf-Exp-AnxA, page 167.

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 ██████████ PK ██████ on 2 November 2002.

Applicant ██████████³⁴¹

Claim to victim status

The applicant states that on 2 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in ██████████ PK ██████. He claims that they were shooting with their Kalashnikovs, thus driving him and his family out of their house. He states that they fled to the fields and that the Banyamulengués occupied the house for five months and pillaged his belongings, including his merchandise. He appends a document in which he lists and values his loss. In the additional statement appended to the original application, the applicant adds that the Banyamulengués also pillaged his shop with his merchandise. As a result of the alleged events, the applicant claims to have suffered material harm.³⁴²

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that the “[t]he Chamber note[d] a discrepancy of 15 years between the date of birth as appearing on the application form on the one hand and on the birth certificate on

³⁴¹ ICC-01/05-01/08-1884-Conf-Exp-Anx251; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 27 to 28.

³⁴² ICC-01/05-01/08-1884-Conf-Exp-Anx251, pages 9 to 11, 18 and 21 to 22.

the other”, considering that “in the absence of any explanation [for this discrepancy] the identity of the applicant [was] not sufficiently established”.³⁴³ However, as in the additional statement, the applicant provides an explanation for this discrepancy and further provides a declaration signed by two witnesses confirming his date of birth, the Chamber is satisfied 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 accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ PK ████████ on 2 November 2002.

Applicant ██████████³⁴⁴

Claim to victim status

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

In the application form, it is submitted that on 11 November 2002, on his way to the city, the applicant was intercepted and severely tortured by Jean-Pierre Bemba’s Banyamulengués. The applicant allegedly died on the same evening as a consequence of internal bleeding caused by the acts of torture. The death certificate appended to the application form indicates that the death occurred on ████████ July 2002. In the additional statement appended to the original application, it is stated that around November 2002, the applicant was at home, in ██████████ together with his sons, when a group of Banyamulengués came and started

³⁴³ ICC-01/05-1091-Conf-Exp-AnxA, page 175.

³⁴⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx252; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 29 to 30.

pillaging the house. It is further stated that they forced the applicant to carry their loot and when he refused to do so, they hit him and the applicant's sons started screaming whereupon they were also beaten and driven out of the house. According to the person acting on behalf, when the applicant's sons returned to the house they found the applicant on the floor, injured, and his neighbours took him to the hospital. Some days later, the applicant's sons were told that the applicant had died because of his injuries. As result of the alleged events, it is claimed that the applicant suffered physical and material harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological and material harm.³⁴⁵

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that the Chamber identified a series of inconsistencies with regard to the applicant's date of birth.³⁴⁶

The Chamber notes that in the supplementary information, the person acting on behalf of the applicant states that as he is illiterate, he was not in a position to identify the errors contained in the applicant's death certificate. However, the Chamber further notes a series of inconsistencies with regard to the circumstances of the applicant's death as provided in the accounts of the original application on the one hand and in the additional statement on the other. In the view of the Chamber, such inconsistencies undermine the credibility of the application and therefore, the application for participation in the proceedings is rejected.

³⁴⁵ ICC-01/05-01/08-1884-Conf-Exp-Anx252, pages 9 to 11 and 21 to 22.

³⁴⁶ ICC-01/05-01/08-1091-Conf-Exp-AnxA, page 178.

Applicant ██████████³⁴⁷

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués came to his house, located in the ██████████ area of ██████████. He specifies that after having driven him and his family out of their house, they occupied the house for five months and pillaged all his belongings. The applicant appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁴⁸

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that “[t]he Chamber note[d] a discrepancy of approximately three years with regard to the date of birth as appearing on the application form on the one hand and the identity card on the other”, considering that “in the absence of any explanation thereto, [...] the identity of the applicant [was] not sufficiently established”.³⁴⁹

However, given that in the additional statement, the applicant confirms that his correct date of birth is the date appearing on the application form and that the discrepancy must be the result of inadvertent error committed by the intermediary, the Chamber is satisfied 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

³⁴⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx253; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 31 to 32.

³⁴⁸ ICC-01/05-01/08-1884-Conf-Exp- Anx253, pages 9 to 11, 18 and 22.

³⁴⁹ ICC-01/05-1091-Conf-Exp-AnxA, page 179.

accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]³⁵⁰

Claim to victim status

The applicant states that as of 28 October 2002, the Banyamulengués invaded Bégoua. He contends that he fled to the bush and alleges that, during his absence, they pillaged his house located in [REDACTED] PK [REDACTED] as well as his pig farm in [REDACTED] PK [REDACTED] on the road to [REDACTED]. He appends a document in which he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁵¹

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that “the Chamber note[d] a discrepancy of 19 years between the year of birth appearing on the birth certificate and the year of birth indicated in the application form and therefore consider[ed] that the identity of the applicant [was] not established”.³⁵²

However, the Chamber notes that in the additional statement, the applicant confirms that his correct date of birth is the one mentioned in the application form and provides an explanation for the discrepancy. Therefore, the Chamber is satisfied that the identity of the applicant is sufficiently established.

³⁵⁰ ICC-01/05-01/08-1884-Conf-ExpAnx254; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 33 to 34.

³⁵¹ ICC-01/05-01/08-1884-Conf-Exp-Anx254, pages 9 to 11, 19 to 20 and 22.

³⁵² ICC-01/05-1091-Conf-Exp-AnxA, page 189.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]³⁵³

Claim to victim status

The applicant states that on 2 November 2002, Mr Bemba’s men came to his house, located in [REDACTED] and drove him out by shooting their weapons. The applicant claims that they pillaged his belongings. He appends a document in which he lists and values his loss. In a document appended to the application form and in which the applicant provides supplementary information, he explains that the list includes all his personal belongings and merchandise that were pillaged from his shop, located in PK [REDACTED]. He also adds that he saw the Banyamulengués pillaging his shop and that when he came back a week later his shop was entirely pillaged and destroyed. The applicant further alleges that he was intercepted by a group of Banyamulengués, who pillaged the money he had on him. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵⁴

Analysis and conclusions

³⁵³ ICC-01/05-01/08-1884-Conf-Exp-Anx255; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 35 to 36.

³⁵⁴ ICC-01/05-01/08-1884-Conf-Exp-Anx255, pages 9 to 11 and 19 to 21.

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that the copy of the identity card appended to the application did not contain a photograph or thumbprint, was not signed by the authorities and contained a discrepancy with regard to the spelling of the applicant's first name.³⁵⁵ However, given that in the additional statement, the applicant confirms his date of birth and the spelling of his name and further provides a birth certificate, the Chamber is satisfied 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 accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 2 November 2002.

Applicant [REDACTED]³⁵⁶

Claim to victim status

The applicant states that on 24 November 2002, when the Banyamulengués returned from [REDACTED] firing their guns, she had to flee from her house, located in the [REDACTED] area, and to take refuge in the fields, together with her family. She claims that upon their return one day later, they found that all their belongings had been pillaged. The applicant lists and values her loss. She further alleges that there were dead bodies everywhere, including an unknown corpse in front of her house. In an additional statement appended to the application, the

³⁵⁵ ICC-01/05-1091-Conf-Exp-AnxA, page 199.

³⁵⁶ ICC-01/05-01/08-1884-Conf-Exp-Anx256; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 37 to 38.

applicant states that upon their return, they found that the Banyamulengués were occupying their house and they forced her husband and children to carry the loot to the river. She adds that her daughter, who was still a virgin at that time, was raped. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.³⁵⁷

Analysis and conclusions

The Chamber notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that the identity document provided, a *procès-verbal* concerning the failure to declare the birth of a child, did not contain an official stamp or signature and further showed an inconsistency with regard to the names provided in the document.³⁵⁸ However, given that the applicant subsequently provided an identity card and an electoral card, confirming her identity, the Chamber is satisfied that the identity of the applicant is established. However, in the absence of any document demonstrating the identity of and kinship with her daughter, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on an unspecified date as of 24 November 2002.

³⁵⁷ ICC-01/05-01/08-1884-Conf-Exp-Anx256, pages 9 to 11, 18, 20 to 21.

³⁵⁸ ICC-01/05-1091-Conf-Exp-AnxA, page 223.

Applicant [REDACTED]³⁵⁹

Claim to victim status

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

It is claimed that in October 2002, the applicant was visiting her sister in [REDACTED] and on the fourth day of her visit, the Banyamulengués entered the house and started shooting with their guns. As a consequence, it is submitted that the applicant fell into a coma for nine days. After waking up, she was handicapped until her death which occurred, according to the death certificate, on [REDACTED] November 2005. In the additional statement appended to the application form, it is specified that the applicant was physically assaulted by the Banyamulengués, whereupon she fell and lost consciousness. It is further alleged that the soldiers pillaged her belongings, as well as the property of the person acting on behalf's aunt. As a result of the alleged events, it is stated that the applicant suffered physical and material harm.³⁶⁰ In addition, the person acting on behalf claims to have suffered psychological harm. She also states that she intends to act on behalf of her deceased aunt, who had also been raped, and her deceased uncle, whose house had been pillaged by the Banyamulengués.

Analysis and conclusions

The Chamber notes that the documents provided demonstrate the identity of the applicant and the person acting on behalf as well as their kinship. However, in the absence of any documents establishing the identity of and kinship with the

³⁵⁹ ICC-01/05-01/08-1884-Conf-Exp-Anx260; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 39 to 40.

³⁶⁰ ICC-01/05-01/08-1884-Conf-Exp-Anx260, pages 9 to 11, 18 to 22, 28 to 30 and 32 to 33.

person acting on behalf's aunt and uncle, the application on their behalf cannot be considered for the purpose of the present assessment.

The Chamber further notes that it has already issued a decision on the merits of the application, whereby the application was rejected on the basis that "in light of the description of the events, and notably the fact that the death of the applicant occurred three years after the alleged events, the Chamber is not satisfied that there is a causal link between the acts and the death of the applicant".³⁶¹

The Chamber also notes that in the additional statement, the person acting on behalf clarifies the circumstances of the assault on the applicant, contending that the Banyamulengués had the intention to kill her. It is further submitted that the Banyamulengués pillaged the applicant's house. However, the Chamber further notes that the date provided (October 2002) is broad, and, as such, might fall outside the temporal scope of the present case. As the medical documents appended to the application are dated 16, 19, 26 and 27 October 2002, the Chamber infers that the assault, and consequently the pillage, occurred prior to 16 October 2002 and accordingly, the alleged events fall outside the temporal scope of the present case. For these reasons, the application for participation in the proceedings is rejected.

Applicant [REDACTED]²

Claim to victim status

The applicant states that on 23 November 2002, when the Banyamulengués invaded the [REDACTED] area of Bangui, she was sick and her children brought her to

³⁶¹ ICC-01/05-1091-Conf-Exp-AnxA, page 355.

³⁶² ICC-01/05-01/08-1884-Conf-Exp-Anx261; ICC-01/05-01/08-1856-Conf-Exp-Anx3, pages 41 to 42.

the fields, [REDACTED] kilometres away. She further states that when her children returned to the house to look after their property, one of her sons was killed by the Banyamulengués close to the Oubangui River, and they found the body three days later. The applicant adds that their house, located in [REDACTED] had been pillaged. As a result of these alleged events, the applicant claims to have suffered psychological and material harm.³⁶³

Analysis and conclusions

The Chamber notes that the applicant submits two application forms and notes a discrepancy of eight years between the applicant's date of birth as appearing on the first application form, which is consistent with the date of birth as appearing in both identity documents appended thereto, and the date of birth mentioned in the second application form. However, given that the remainder of the information provided in the identity card and the electoral card is consistent with the data entered in both application forms, 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. However, in the absence of any document demonstrating the identity of and kinship with her son, only pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 23 November 2002.

³⁶³ ICC-01/05-01/08-1884-Conf-Exp-Anx261, pages 9 and 25 to 26.