

ANNEX A

Group A: Bangui/PK12

- **Seventh transmission - ICC-01/05-01/08-954-Conf-Exp-Anxs**

Applicant [REDACTED]

Claim to victim status

The applicant states that on 17 March 2003 he was at his house located in the village of [REDACTED] prefecture of [REDACTED] having breakfast. He states that a group of Banyamulengués came to his village. He alleges that they held him at gunpoint, pillaged his belongings and forced him to carry the loot on his boat. As a result of the alleged events, the applicant claims to have suffered psychological 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 date of the alleged events provided by the applicant (17 March 2003) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

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

¹ ICC-01/05-01/08-954-Conf-Exp-Anx1; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 2 to 3.

² ICC-01/05-01/08-954-Conf-Exp-Anx1, pages 9 to 11.

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 ██████████ in March 2003.

Applicant ██████████

Claim to victim status

The applicant states that on 30 November 2002 the Banyamulengués of Jean-Pierre Bemba, along with the FACA forces, invaded the village of ██████████ on the way to ██████████. She alleges that her nephew was at his girlfriend's house and that they took refuge in the neighbours' place. She alleges that the Banyamulengués found him, checked his identity, stole his belongings and, as they considered him to be a rebel, they shot him in the back. His body was buried only 48 hours later, because no one was so hazardous to rescue him. She also points out that her nephew left a widow and two children. The applicant also states that she fled to the forest upon the arrival of the Banyamulengués. During her absence, she alleges that they pillaged her house. As a consequence of the repeated shots and the psychological pressure, she has been suffering hypertension and heart problems. 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. However, in the absence of any document demonstrating the identity of her nephew and the kinship between them,

³ ICC-01/05-01/08-954-Conf-Exp-Anx2; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 4 to 5.

⁴ ICC-01/05-01/08-954-Conf-Exp-Anx2, pages 9 to 11, 20 to 36.

only the alleged pillage of the applicant's belongings 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 October 2002 she fled together with her husband as soon as Bangui was attacked. She says that when they came back home, on 30 October 2002, the Banyamulengués occupied their property in the [REDACTED] area of [REDACTED]. She alleges that they hit them, took her husband away, threw her daughter to the ground and raped her in front of the applicant. She adds that her daughter died of HIV in 2008. She further states that their belongings were pillaged. 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. However, in the absence of any document demonstrating the identity of her daughter and the kinship between them, only the alleged pillage of the applicant's belongings will be considered for the purpose of the present assessment.

⁵ ICC-01/05-01/08-954-Conf-Exp-Anx3; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 6 to 7.

⁶ ICC-01/05-01/08-954-Conf-Exp-Anx3, pages 10 to 12, 20.

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 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 23 November 2002, she was with her sisters at the [REDACTED] source in the [REDACTED] area, [REDACTED] *arrondissement*. She alleges that the troops of Jean-Pierre Bemba raped them and stole their kitchen utensils and other belongings. She adds that she was only 14 years old and still a virgin at that time. She appends medical documents confirming that she has been raped. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.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 on 23 November 2002 in [REDACTED]

⁷ ICC-01/05-01/08-954-Conf-Exp-Anx4; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 8 to 9.

⁸ ICC-01/05-01/08-954-Conf-Exp-Anx4, pages 9 to 11, 18 to 19.

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

The applicant states that on 6 November 2002 the Banyamulengués, speaking a foreign language and wearing military uniforms, invaded [REDACTED] in [REDACTED]. She says that they ill-treated her and entered her house. As she was scared, she decided to flee with the children that were under her care, and went to the village [REDACTED] [REDACTED]. From there, she moved further to Bangui where she took refuge in a relative's house. When she returned to her home, she found that it had been pillaged. She adds that she was obliged to sell her house to pay off her debts. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰

Analysis and conclusions

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

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

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

The applicant states that on 3 November 2002, seven Banyamulengués, speaking Lingala and wearing military uniforms, came to her house in [REDACTED]

⁹ ICC-01/05-01/08-954-Conf-Exp-Anx5; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 10 to 11.

¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx5, pages 9 to 11, 19.

¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx6; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 12 to 13.

behind the [REDACTED] gas station. She says that they fired a gunshot, entered her house and then asked for money. When she answered in the negative, they grabbed her loincloth and found the money she kept therein. She adds that they also took merchandise and beat her children. After the Banyamulengués left, she fled to [REDACTED] with her children and, when she came back some days later, she found that her house had been completely pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹²

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant says that when the Banyamulengués had been attacked by Bozizé's rebels in [REDACTED] at the end of October 2002, they withdrew in [REDACTED]. He fled from his house, located just behind the [REDACTED] [REDACTED], to take refuge in [REDACTED] on the route of [REDACTED] where he stayed with his children until 15 March 2003. The applicant alleges that when he went back home, he found that his shop and his house had been completely pillaged and he was told by

¹² ICC-01/05-01/08-954-Conf-Exp-Anx6, pages 9 to 11, 19.

¹³ ICC-01/05-01/08-954-Conf-Exp-Anx7; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 14 to 15.

the guards of the area that the Banyamulengués were responsible. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁴

Analysis and conclusions

The Chamber considers that the documents provided 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 shop and house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between the end of October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 December 2002 after she heard that the Banyamulengués were planning an action in her area [REDACTED] [REDACTED] in [REDACTED] she locked her home and fled to the [REDACTED] ([REDACTED]) area. She says that when she came back home on 20 December 2002, she found the door broken and her belongings stolen. She says that she was informed by her neighbour that the Banyamulengués, based in [REDACTED] pillaged her home on 19 December 2002. She adds that she is no longer able to do her previous business and she now has to sell products at the market in order to provide for the family needs. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁶

¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx7, pages 9 to 11, 18.

¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx8; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 16 to 17.

¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx8, pages 9 to 11, 19.

Analysis and conclusions

The Chamber notes a discrepancy in the name of the applicant between the application form and the document attached thereto. However, given that this discrepancy is essentially limited to an inversion of the syllabuses composing the applicant's surname, the Chamber considers that the identity of the applicant is sufficiently established.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 November 2002, seven Banyamulengués approached her when she was with her children, brothers and sisters behind the gas station of the [REDACTED] area, [REDACTED]. Whereas some of her brothers managed to run away, she was thrown against the door. One of the soldiers, speaking the language of the DRC, slapped her and she fell. At this point, she alleges that the commander tore off her clothes and raped her in front of her kids while the other Banyamulengués watched the scene. She further states that they came back, around 16.00, and pillaged her house, including her merchandise and the goods inherited by her father. She adds that she was forced to flee with her children to [REDACTED]. She still takes medicines, such as Buscopan, when she has pain. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸

¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx9; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 18 to 19.

¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx9, pages 9 to 11

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] [REDACTED] [REDACTED] on 7 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002 the troops of Jean-Pierre Bemba came to his house in the [REDACTED] area of [REDACTED] [REDACTED]. He says that they shot at them with Kalashnikovs. When he managed to flee, he alleges that the soldiers began damaging his house, occupied it for 48 hours and pillaged his belongings and those he kept in the deposit, as detailed in the documents and the pictures attached to the application form. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁰

Analysis and conclusions

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

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

¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx10; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 20 to 21.

²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx10, pages 9 to 11, 20 to 34.

basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house and his deposit by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, in October 2002, her daughter was going to the area called [REDACTED] when she was intercepted by the Banyamulengués who arrived by boat on the Oubangui River. She alleges that her daughter was raped several times close to the [REDACTED] in the [REDACTED] *arrondissement* of Bangui. As a consequence of the rape, she was infected with HIV virus and died on [REDACTED] November 2003, as reported on the death certificate attached. As a result of the alleged events, the applicant claims to have suffered psychological harm.²²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of her daughter and the kinship between them.

The Chamber notes that the date of the alleged events provided by the applicant, October 2002, might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

²¹ ICC-01/05-01/08-954-Conf-Exp-Anx11; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 22 to 23.

²² ICC-01/05-01/08-954-Conf-Exp-Anx11, pages 9 to 11.

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 rape of her daughter by the Banyamulengués of Jean-Pierre Bemba in ██████ Bangui, on an unspecified day of October 2002.

Applicant ██████

Claim to victim status

The applicant declares that, on 3 November 2003, the Banyamulengués went to her house in the ██████ area of ██████ behind the ██████ ██████, for the purpose of taking her and her family as hostages. She states that they tortured her husband, damaged the house and, when she managed to flee, they looted all the belongings, including her livestock. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant, 3 November 2003, as such falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, such inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant as it does not undermine the *prima facie* conclusion that the events appear to have occurred in November 2002.

²³ ICC-01/05-01/08-954-Conf-Exp-Anx12; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 24 to 25.

²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx12, pages 9 to 11.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house, including her livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November, 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 7 and 15 March 2003 the Banyamulengués of Jean-Pierre Bemba occupied his place in the [REDACTED] area, [REDACTED]. He alleges that they pillaged his belongings, his livestock and also mechanic parts from his car. In addition, he says that they raped his blind daughter, who later died as a consequence of the violence. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁶

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his daughter and the kinship between them, only the alleged pillage of the applicant's belongings 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 house, including livestock, by the

²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx13; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 26 to 27.

²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx13, pages 9 to 11, 18, 20.

Banyamulengués of Jean-Pierre Bemba in [REDACTED], [REDACTED] between 7 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 November 2002 the troops of Jean-Pierre Bemba pillaged his house in the [REDACTED] area of Bangui. He says that they also took his car. 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 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 house and his car by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], Bangui, on 26 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002 the troops of Jean-Pierre Bemba pillaged his shop in the market of [REDACTED] in the [REDACTED] *arrondissement* of

²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx14; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 28 to 29.

²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx14, pages 9 to 11.

²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx15; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 30 to 31.

Bangui. He further claims that they also stole his savings. 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 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 shop by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002 the troops of Jean-Pierre Bemba irrupted into her house in the [REDACTED] area, [REDACTED]. She alleges that they pillaged several belongings, as listed in the annex. In addition, she says that some soldiers made her lie on the floor to rape her but the commander stopped them as soon as he saw the picture of the applicant's husband, who was a policeman. As a result of the alleged events, the applicant claims to have suffered material harm.³²

Analysis and conclusions

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

³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx15, pages 9 to 11.

³¹ ICC-01/05-01/08-954-Conf-Exp-Anx16; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 32 to 33.

³² ICC-01/05-01/08-954-Conf-Exp-Anx16, pages 9 to 11, 18 to 19

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

Applicant [REDACTED]

Claim to victim status

The applicant says that on 5 December 2002 twelve armed men came to [REDACTED] and [REDACTED] around 18.00 and entered her property in the [REDACTED] area, [REDACTED] [REDACTED]. They asked her and the other residents to leave the house with only their clothes on. She alleges that they pillaged commercial material and other belongings and then they sold them to raise money. As a result of the alleged events, the applicant claims to have suffered psychological and 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 5 December 2002.

³³ ICC-01/05-01/08-954-Conf-Exp-Anx17; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 34 to 35.

³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx17, pages 9 to 11, 18 to 19.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 the rebels of Jean-Pierre Bemba invaded the [REDACTED] area in [REDACTED] [REDACTED] and went to his home. He says that they asked for money and for the keys of his car. He was obliged to give them everything they wanted to avoid being killed. He alleges that they took his belongings and money and put everything in the car. As a result of the alleged events, the applicant claims to have suffered psychological and 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 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, including his car, by the Banyamulengues of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002 armed men of Jean-Pierre Bemba in military uniforms invaded [REDACTED] and surrounded his house in the [REDACTED] [REDACTED] area. His wife, 5 months pregnant at the time, was outside and they asked

³⁵ ICC-01/05-01/08-954-Conf-Exp-Anx18; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 36 to 37.

³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx18, pages 9 to 11, 18 to 19.

³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx19; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 38 to 39.

her where her husband was. She said that he was not there but they entered the house and three to six of them found him, beat him and demanded money. He says that he then managed to flee. At the same time, he alleges that his wife was also beaten because she lied. She also managed to flee but she could not take the 2 children who remained in the house who were found only three days later by the *chef de quartier*. The applicant states that when he came back home on 2 November 2002 he found that his belongings had been stolen, as detailed in the attached document. 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 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 31 October and 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in the night between 30 and 31 October 2002, the troops of Jean-Pierre Bemba, wearing military uniform of the armed forces of the CAR, invaded [REDACTED] By groups of 14 to 15 soldiers, they threatened and made the population flee their houses. After 48 hours, the applicant says that

³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx19, pages 9 to 11, 18 to 21.

³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx20; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 40 to 41.

he came back to his house in the [REDACTED] area, [REDACTED] and found the door broken and a number of belongings stolen, as listed in the annex. He points out that those who tried to oppose the pillage of their house, have been either beaten or killed. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 30 October 2002 and 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that in October 2002, Jean-Pierre Bemba's troops crossed the Oubangui River and invaded the [REDACTED] area of Bangui, [REDACTED] *arrondissement*. She further claims that they came to her house, kidnapped her and took her with them to the banks of the Oubangui River where they raped her. Meanwhile, some of the men stayed at her house, damaged it and pillaged all her personal belongings. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁴²

⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx20, pages 9 to 11, 18 to 19, 22.

⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx21; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 42 to 43.

⁴² ICC-01/05-01/08-954-Conf-Exp-Anx21, pages 9 to 11.

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (October 2002) is broad and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] Bangui, and on the banks of the Oubangui river respectively, on an unspecified date in October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, a group of armed men, carrying Kalashnikovs and speaking a foreign language, identified by the applicant as the Banyamulengués of Jean-Pierre Bemba, disembarked in his area. The applicant does not specify the exact location, but states that the events occurred in the northern part of the CAR. He claims that they came to his house, broke the door and pillaged his belongings. He and his family managed to escape using the back door of the house. The applicant lists and

⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx22; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 44 to 45.

values his loss. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁴⁴

Analysis and conclusions

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

The Chamber notes that in the application form the location of the alleged events is not a precise one, but it is stated therein that the events took place in the northern part of the CAR. Nevertheless, the Chamber observes that it transpires from the documents appended to the application form namely the list of pillaged belongings and the map locating his residence that the events occurred nearby the [REDACTED]. Thus, in light of the intrinsic coherence of the application form and documents appended thereto, an inaccuracy as to the location of the events in the application form in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002 Jean-Pierre Bemba's rebel troops invaded Bangui and started their mission of pillage, rape and murder. He claims that his house, located in the [REDACTED] part of Bangui, [REDACTED] was

⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx22, pages 9 to 11, 18.

⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx23; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 46 to 47.

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 psychological and 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 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] part of Bangui, [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims 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 the area of [REDACTED] [REDACTED] [REDACTED] firing their guns. He claims that they broke the door of his house and started pillaging his belongings, which he lists and values. He further claims that they threatened him and forced him to undress, raped his daughter, who became pregnant and was infected with HIV and killed his younger brother. As a result of the alleged events the applicant claims to have suffered physical and material harm.⁴⁸

Analysis and conclusions

⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx23, pages 9 to 11, 18 to 19, 23 to 24.

⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx24; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 48 to 49.

⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx24, pages 9 to 11, 19.

The Chamber notes a series of discrepancies with regard to the information regarding the applicant's identity, including a significant discrepancy between the date of birth as appearing in the application form (██████████) and on the electoral card attached thereto (██████████). Accordingly, the Chamber considers that the identity of the applicant is not sufficiently established and therefore rejects the application for participation in the proceedings.

Applicant ██████████

Claim to victim status

The applicant states that between mid-November 2002 and the beginning of January 2003, when the Banyamulengués invaded ██████████ she and her family had to flee. She claims that the Banyamulengués occupied her compound, located ██████████ behind the ██████████, and used it as their base. She claims that they pillaged and destroyed their two houses. The applicant lists her loss. She further alleges that her 14 years old son was beaten and that her sister disappeared. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁵⁰

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

⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx25; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 50 to 51.

⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx25, pages 9 to 11.

Jean-Pierre Bemba in [REDACTED] [REDACTED] between mid-November 2002 and the beginning of January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the time of the events he was a merchant, and he was buying merchandise from [REDACTED] in order to resell it. He claims that on 29 November 2002 Jean-Pierre Bemba's soldiers invaded Bangui and eleven men entered his house, located in [REDACTED] [REDACTED] asked him for money, and when the applicant told them he had no money, they started pillaging his merchandise and transported it on a wheelbarrow. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁵²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx26; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 52 to 53.

⁵² ICC-01/05-01/08-954-Conf-Exp-Anx26, pages 9 to 11.

⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx27; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 54 to 55.

The applicant claims that on 31 October 2002, Jean-Pierre Bemba's troops invaded ██████ broke into his house, located in ██████ and pillaged the merchandise he had bought in ██████. The applicant appends a document in which he lists and values his loss. The applicant states that responsible for the events are Ange Felix Patassé and his accomplice Jean-Pierre Bemba with his rebels. As a result of the alleged events the applicant claims to have suffered material harm.⁵⁴

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 31 October 2002.

Applicant ██████

Claim to victim status

The applicant states that on 29 October 2002, the soldiers of Jean-Pierre Bemba invaded her area, ██████ in ██████ and all the men, including her partner, fled. She further claims that six soldiers came to her house and one of them took her by force to the bedroom and threw her on the bed, while the others started taking their clothes off, and raped her, one after the other. The applicant alleges that the soldiers also pillaged some of her belongings. She claims that because she was raped, she and her partner split up. As a result of

⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx27, pages 9 to 11, 20

⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx28; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 56 to 57.

the alleged events the applicant claims to have suffered physical, psychological and 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 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] [REDACTED] on 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, during the night of 30 to 31 October 2002, Jean-Pierre Bemba's rebel forces invaded the CAR. The applicant claims that the rebels came to his house, located in [REDACTED] [REDACTED] and forced him to leave the house. He states that he stayed behind his house and watched them pillaging his belongings, which he lists and values. As a result of the alleged events the applicant claims to have suffered psychological and 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

⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx28, pages 9 to11, 18.

⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx29; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 58 to 59.

⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx29, pages 9 to11, 20.

basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] during the night of 30 to 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002 the Banyamulengués invaded [REDACTED] and her area, [REDACTED]. The applicant claims that, when she was intercepted by the Banyamulengués, she had in her possession a sum of money. She claims that they undressed her in front of her house, but they did not rape her, because she was old; instead they took her money. She also claims that they pillaged her house, and she lists and values her loss. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.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 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 30 October 2002.

Applicant [REDACTED]

⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx30; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 60 to 61.

⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx30, pages 9 to 11, 20.

⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx31; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 62 to 63.

Claim to victim status

The applicant claims that on 30 October 2002 the men of Jean-Pierre Bemba and some of the presidential guards besieged [REDACTED] and entered every house in the area in search of General Bozizé's soldiers. She states that they entered her house, located in the [REDACTED] area of [REDACTED] asked her daughter to undress, and raped her atrociously. She further states that her daughter was crying and was telling her in Sango that they are killing her and that they are not going to stop. The applicant claims that the men pillaged her belongings, which she lists and values. Furthermore, according to the applicant, after the events, she and her daughter fled, and, in [REDACTED] near the [REDACTED] they saw [REDACTED] urinating on the dead bodies of the [REDACTED] killed by him and by the Banyamulengués. She claims that at the sight of the corpses she fainted and fell on the ground and that her daughter had to resuscitate her for many hours. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁶²

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 the alleged pillage of the applicant's belongings 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 30 October 2002.

⁶² ICC-01/05-01/08-954-Conf-Exp-Anx31, pages 9 to11, 18, 21.

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

The applicant claims that, as of 28 October 2002 at 10:00 am, the Banyamulengués of Jean-Pierre Bemba started pillaging. He claims that they pillaged his shop and his house, located at the level of the [REDACTED] [REDACTED], behind the [REDACTED] [REDACTED] of [REDACTED]. The applicant appends a document in which he lists and values the loss he noticed upon his return from the bush. As a result of the alleged events the applicant claims to have suffered psychological and 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 28 October 2002.

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

The applicant states that on 29 October 2002 the Banyamulengués took control over [REDACTED] and the [REDACTED] [REDACTED] area, where he was residing. He states that, at the time of the events, he was out for work, his wife fled to another area with

⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx32; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 64 to 65.

⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx32, pages 9 to 11, 24 to 25.

⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx33; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 66 to 67.

the children and two boys and a cousin stayed to look after the house. He claims that when the three of them fled, his cousin was stopped by nine Banyamulengués and she was sexually abused by them. According to the applicant, five days later his cousin was taken to [REDACTED] km away from Bangui and two weeks later she managed to flee further. He claims that he took care of his cousin who was infected with HIV.

The applicant further states that his older brother tried to return from [REDACTED] to Bangui, but when he arrived in [REDACTED] around 16 or 17 of November 2002, he was intercepted by the Banyamulengués and tortured for 11 days. He managed to escape and fled to the bush but he fell in the hands of the Banyamulengués for the second time and he was tortured again for two weeks. Then, he managed to escape again and finally arrived in [REDACTED] on 5 February 2003, where, tired and sick, he died the same day, despite intensive care.

The applicant also claims that his belongings were pillaged and destroyed, and he lists and values his loss.

As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁶⁶

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and of the applicant's alleged brother, as well as their relationship. On the other hand, although in the application form it is stated that the birth certificate and the photo of the applicant's alleged cousin are attached thereto, the Chamber notes that these documents are missing and, therefore, in the absence of any proof of identity of and relationship with the alleged cousin, it will not consider the alleged rape of the applicant's cousin for the purpose of the present assessment.

⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx33, pages 9 to 11, 20 to 21.

Regarding the death of the applicant's alleged brother, the Chamber is of the view that there is not sufficient information to establish the causal link between the torture and his death. As a consequence, only the alleged pillage will be considered for the purpose of the present assessment. Accordingly, the Chamber is of the view that overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] [REDACTED] on an unspecified date as of 29 October 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that during the night of 31 November 2002 the rebels of Jean-Pierre Bemba came to their compound, located in [REDACTED] [REDACTED]. When they were in front of their door, the applicant took a knife and went to the door. At this moment, the rebels fired a shoot at the door lock in order to open the door. However, the bullet hit the applicant in his chest, as a result of which he died in hospital a few days later. It is further contended that the rebels pillaged the house. The loss is listed and valued. As a result of the alleged events, it is claimed that the applicant has suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological and material harm.⁶⁸

⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx36; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 72 to 73.

⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx36, pages 9 to 11, 18.

Analysis and conclusion

The Chamber considers that the documents provided demonstrate the identity of the applicant and of his daughter who acts on his behalf as well as their relationship.

The Chamber notes that the date of the alleged events provided by the applicant is 31 November 2002 and that the month of November only has 30 days. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, notably the fact that the year and the month fall under the scope of the present case, and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

However, in light of the circumstances of the father's death, as described in the application, the Chamber can not conclude that the applicant was murdered. Accordingly, only the alleged pillage of the applicant's belongings will be considered for the purpose of the present assessment.

The Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house, to the extent of his personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on or about 30 November 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that she is also a victim under Rule 85 (a), on the basis that she suffered personal harm as a result of the crimes confirmed against the accused, namely the pillage of her family house, to the extent of her personal belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on or about 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 11 November 2002, when the Banyamulengués invaded [REDACTED] her parents fled to the bush and she and her older brother stayed at their compound, located in [REDACTED] in order to take care of their belongings. She further claims that the Banyamulengués came to their house and asked her where her parents were. They then started beating her and pillaged their household goods and their documents. As a result of the alleged events the applicant claims to have suffered physical, psychological and 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 family's house, to the extent of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 11 November 2002, [REDACTED] was besieged by the Banyamulengués who were committing acts of pillage, rape and torture. She

⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx37; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 74 to 75.

⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx37, pages 9 to 11.

⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx38; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 76 to 77.

alleges that at the time of the events she was at home with her children, while her husband was travelling in the eastern part of the country. The applicant claims that six Banyamulengués came to her compound, raped her and pillaged most of her belongings. She further claims that, as a consequence of the rape, her husband abandoned her. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁷²

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 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 November 2002, on her way to [REDACTED] she was intercepted by the Banyamulengués of Jean-Pierre Bemba, who tortured and raped her, and took her money. She further claims that, as a consequence of the rape, her partner abandoned her. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁷⁴

Analysis and conclusions

⁷² ICC-01/05-01/08-954-Conf-Exp-Anx38, pages 9 to 11.

⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx39; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 78 to 79.

⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx39, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 November 2002, when returning from work, he was stopped by a group of five Banyamulengués at the [REDACTED] [REDACTED]. He claims that they asked for his identification document, and after the applicant showed them his professional card, they asked him to give them money. When he refused to do so, they violently beat him until he lost consciousness. The applicant alleges that they pillaged his clothes and his money. He also claims that after the events he started having health problems. As a result of the alleged events the applicant claims to have suffered physical 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against

⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx40; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 80 to 81.

⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx40, pages 9 to 11.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 13 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 14 November 2002, her partner fled and, because she was five months pregnant, she had to stay at home with two of her children. She further claims that the Banyamulengués came to her house, located in [REDACTED] and tried to rape her. She tried to resist the rape, but at one point, they pushed her and she fell, and, as a consequence, she had a miscarriage. She claims that as a result, she can not conceive. The applicant also states that the Banyamulengués pillaged her house. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁷⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx41; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 82 to 83.

⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx41, pages 9 to 11.

⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx42; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 84 to 85.

Claim to victim status

The applicant claims that on 13 November 2002, on her way to her aunt's house, in [REDACTED] she was harassed and raped by the Banyamulengués of Jean-Pierre Bemba. She further claims that they took her clothes and her money. The applicant claims that she fears her husband might find out about the rape and abandon her. As a result of the alleged events the applicant claims to have suffered physical, psychological and 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 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 13 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 19 November 2002, the Banyamulengués were terrorizing his area, [REDACTED] in [REDACTED] and he and his family had to flee. He further claims that, in their absence, the Banyamulengués broke into his house, pillaged all his belongings and destroyed his house. The applicant values his loss. As a result of the alleged events the applicant claims to have suffered material harm.⁸²

⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx42, pages 9 to 11.

⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx43; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 86 to 87.

⁸² ICC-01/05-01/08-954-Conf-Exp-Anx43, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 19 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 6 and 8 November 2002, the Banyamulengués were spreading terror amongst the inhabitants of [REDACTED] and, for this reason, most of the population fled. She claims that, at the time of the events, her younger sister was very sick and she was taking care of her, when the Banyamulengués entered their compound, located in [REDACTED] [REDACTED]. She contends that eight of them raped her. She states that after the rape her partner abandoned her. The applicant further claims that most of their belongings were pillaged. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.⁸⁴

Analysis and conclusions

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

⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx44; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 88 to 89.

⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx44, pages 9 to 11.

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] [REDACTED] between 6 and 8 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, when she and her husband were in the fields milking their cows, they were intercepted by the Banyamulengués, who asked her husband for money. She claims that when her husband told them that he did not have anything, they started beating both of them and killed their cattle. The applicant states and she and her husband managed to run away and upon their return, they found that their house, located in [REDACTED] [REDACTED] had been pillaged. The applicant lists and values her loss. As a result of the alleged events the applicant claims to have suffered psychological and material harm.⁸⁶

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

⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx45; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 90 to 91.

⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx45, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 the Banyamulengués of Jean-Pierre Bemba started a campaign of systematic pillages in the [REDACTED] area of [REDACTED] [REDACTED]. She alleges that when they came to her house, in the absence of her husband, they entered and started pillaging her belongings, including money. She adds that, when she complained, she was beaten. 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 sufficiently demonstrate the identity of the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings and money by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx46; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 92 to 93.

⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx46, pages 9 to 11 and 20.

⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx47; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 94 to 95.

Claim to victim status

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

It is stated that, on 23 October 2002, during the Ramadan, the Banyamulengués had besieged Bangui and its surroundings. It is indicated that the applicant was at the [REDACTED] of [REDACTED] together with a number of [REDACTED] who gave him a consistent sum of money raised with the sale of the [REDACTED] in order for the applicant to keep it safe. She alleges that when the Banyamulengués searched the applicant's house, they found the money and took it. It is further stated that the Banyamulengués accused the applicant of financing the rebellion of Bozizé and killed him. The sister adds that when she discovered the body of the brother, she started crying and she was beaten. As a result of the alleged events, it is claimed that the applicant suffered physical harm.⁹⁰

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (23 October 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber notes that the applicant alleges that the events occurred during fasting, which in 2002 covered the period between 5 November and 4 December. Accordingly, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, the Chamber is of the view that

⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx47, pages 9 to 11 and 18.

such inconsistency might be the result of inadvertent error and, as such, should not serve to exclude the applicant.

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 his murder by the Banyamulengués of Jean-Pierre Bemba at the [REDACTED] of [REDACTED] in October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 10 November 2002, her brother bought a diamond from one of the Banyamulengués of Jean-Pierre Bemba. After, a group of them came to her house, beat her and took her to their base. Subsequently, she says that they also captured her brother and asked both of them a ransom of 5 millions CFA in order not to kill them. At the same time, she alleges that other Banyamulengués pillaged her house in the [REDACTED] area of [REDACTED] [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹²

Analysis and conclusions

The Chamber notes a discrepancy between the age of the applicant as indicated in the application form and the age and date of birth appearing on the identity card. However, considering that the remainder of the information provided in the identity card is consistent with the data entered in the application form and given that the discrepancy seems to be due to

⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx48; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 96 to 97.

⁹² ICC-01/05-01/08-954-Conf-Exp-Anx48, pages 9 to 11 and 19.

inadvertent error by the person assisting the applicant, who copied the information contained in the identity document without considering the date when the latter was issued, the Chamber is satisfied that the documents provided sufficiently demonstrate the identity of the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 the Banyamulengués came to her concession in the [REDACTED] area of [REDACTED] [REDACTED]. She claims that they tortured her husband and that eight of them raped her consecutively over a period of four hours. She adds that, although her husband gave them five millions FCFA he had earned with the sale of his cattle, they nonetheless wanted to kill him. She further alleges that they pillaged the rest of her house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁴

Analysis and conclusions

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

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

⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx49; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 98 to 99.

⁹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx49, pages 9 to 11 and 19.

basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 the Banyamulengués came to the [REDACTED] area of [REDACTED] where she lived, and started firing in the air. She says that she was so terrified that she had a miscarriage and started bleeding. She alleges that they broke into the house, forced her to leave it and pillaged her goods and destroyed her livestock. She adds that currently they do not have anything and that they sleep on the mat. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx50; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 100 to 101.

⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx50, pages 9 to 11 and 20

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

The applicant states that on 1 November 2002 the MLC troops of Jean-Pierre Bemba came to her house in the [REDACTED] area of [REDACTED]. She alleges that they made her step out of the house and while she was under the threat of a gun they pillaged her belongings as well as her son's shop located a few meters away. She says that after these events, she fled to Chad by foot and she ended up in a refugee camp. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁹⁸

Analysis and conclusions

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

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

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

The applicant states that on 3 November 2002 the Banyamulengués invaded the [REDACTED] area of [REDACTED] and entered her place. She says that her husband was out with his cattle and that he handed over to her a sum of money to keep. She alleges that, under the threat of a gun, she gave them a significant sum of money. She further states that they also pillaged her house. As a result

⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx51; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 102 to 103.

⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx51, pages 9 to 11 and 18.

⁹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx57; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 114 to 115.

of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁰⁰

Analysis and conclusions

The Chamber notes that the applicant only provided a vaccination card as proof of her identity. The Chamber recalls that such document has been rejected as proof of identity.¹⁰¹ Accordingly, the Chamber is of the view that the identity of the applicant has not been established, thus her application for participation is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002 the Banyamulengués of Jean-Pierre Bemba came to his house in the [REDACTED] area of [REDACTED] in search of food supplies. He alleges that, facing his resistance, they beat him and pillaged his house. He was subsequently taken to their base and held there for about 72 hours and later, they released him thanks to the intervention of a General. He also states that his sister, who was still virgin at that time, was raped. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰³

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his sister and the kinship between them, only

¹⁰⁰ ICC-01/05-01/08-954-Conf-Exp-Anx57, pages 8 to 10 and 18.

¹⁰¹ Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017, paragraph 42.

¹⁰² ICC-01/05-01/08-954-Conf-Exp-Anx58; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 116 to 117.

¹⁰³ ICC-01/05-01/08-954-Conf-Exp-Anx58, pages 9 to 11 and 18 to 19.

the alleged pillage of the applicant's belongings 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002 the MLC soldiers of Jean-Pierre Bemba besieged the [REDACTED] area of [REDACTED] and the population fled. She says that four Banyamulengués captured her and raped her one after the other. In that circumstance, she also alleges that they fractured her nose. As a consequence of the rape, she was infected with HIV. Further, she states that they held her as a sexual slave until 15 March 2003, when upon the arrival of General Bozizé's troops, she managed to flee. Finally, she says that they also pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁵

Analysis and conclusions

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

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

¹⁰⁴ ICC-01/05-01/08-954-Conf-Exp-Anx59; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 118 to 119.

¹⁰⁵ ICC-01/05-01/08-954-Conf-Exp-Anx59, pages 9 to 11 and 19 to 26.

the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on and as of 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 the Banyamulengués assaulted her house in the [REDACTED] area of [REDACTED] near the [REDACTED]. She alleges that they killed her father and that they raped her. She was 12 years old and still virgin at that time. She further states that they killed all her father's oxen as well as the shepherd who was taking care of the cattle. Moreover, she states that they pillaged her belongings. She adds that it is now very difficult for her to find a husband after having been a victim of rape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁷

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant as well as the identity of and relationship with her deceased father.

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 father, her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 3 November 2002.

¹⁰⁶ ICC-01/05-01/08-954-Conf-Exp-Anx60; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 120 to 121.

¹⁰⁷ ICC-01/05-01/08-954-Conf-Exp-Anx60, pages 9 to 11 and 19.

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

The applicant states that, in December 2002, the Banyamulengués of Jean-Pierre Bemba raped her and inflicted such a humiliation that she has always remained silent about the events, until the intervention of the International Criminal Court. The crime allegedly took place in the village of [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁰⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 the village of [REDACTED] on an unspecified date in December 2002.

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

The applicant states that on 11 November 2002 she was with her grandfather in [REDACTED] at the [REDACTED] [REDACTED] of Bangui. She alleges that she was assaulted by the Banyamulengués who threw her on the ground, took her clothes off and raped her without any protection. She says that they also stole her

¹⁰⁸ ICC-01/05-01/08-954-Conf-Exp-Anx61; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 122 to 123.

¹⁰⁹ ICC-01/05-01/08-954-Conf-Exp-Anx61, pages 9 to 11.

¹¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx62; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 124 to 125.

grandfather's luggage and her bag with a consistent sum of money inside. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 11 November 2002 the Banyamulengués were searching house by house in [REDACTED] [REDACTED] and they arrived at her house. She says that her brothers fled through the back door. She alleges that she pretended to be ill but nevertheless, the Banyamulengués harassed her and raped her. She has been repudiated by her husband and she is now afraid to do the HIV test because, in case of positive response, she could commit suicide. In addition, she alleges that they also pillaged the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹³

Analysis and conclusions

¹¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx62, pages 9 to 11.

¹¹² ICC-01/05-01/08-954-Conf-Exp-Anx63; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 126 to 127.

¹¹³ ICC-01/05-01/08-954-Conf-Exp-Anx63, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] [REDACTED] on 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 February 2003 on her way back from [REDACTED] she was arrested in the village of [REDACTED] [REDACTED] by the Banyamulengués of Jean-Pierre Bemba. She alleges that they confiscated all the passengers' luggage and merchandise, including hers. She also says that some passengers were beaten. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹¹⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 28 February 2003.

¹¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx64; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 128 to 129.

¹¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx64, pages 9 to 11.

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

The applicant states that on 8 November 2002 she was coming back from [REDACTED] to Bangui. She says that the Banyamulengués stopped her in [REDACTED] at the [REDACTED] of [REDACTED] and addressed her in Lingala, a language she could not understand. She alleges that they chased her, threw her on the ground and raped her. She declares that they also took her luggage and merchandise, and that she is still traumatized by the event. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹¹⁷

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] [REDACTED] on 8 November 2002.

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

The applicant states that on 5 December 2002, her husband fled and she was alone at their house, located in [REDACTED] close to the [REDACTED] [REDACTED] when six

¹¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx65; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 130 to 131.

¹¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx65, pages 9 to 11.

¹¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx66; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 132 to 133.

Banyamulengués came to her house and raped her. She claims that, because she was raped, her husband abandoned her and their children. As a result of the alleged events the applicant claims to have suffered physical and psychological harm.¹¹⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 5 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 8 December 2002, while she was at home with her children, four Banyamulengués came to her house, located in [REDACTED] and raped her. She further claims that they pillaged some of her belongings. The applicant claims that, at the time of the events, her husband, who is a soldier, was detached in [REDACTED], and that she fears her husband will find out about the rape and abandon her. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹²¹

Analysis and conclusions

¹¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx66, pages 9 to 11.

¹²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx67; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 134 to 135.

¹²¹ ICC-01/05-01/08-954-Conf-Exp-Anx67, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 18 November 2002, upon her return to Bangui from [REDACTED] she was stopped by the Banyamulengués of Jean-Pierre Bemba at the level of the [REDACTED] [REDACTED]. She claims that she was raped and her merchandise was pillaged by the Banyamulengués. The applicant also states that, as a consequence of the rape, her husband abandoned her and their children. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹²³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 18 November 2002.

¹²² ICC-01/05-01/08-954-Conf-Exp-Anx68; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 136 to 137.

¹²³ ICC-01/05-01/08-954-Conf-Exp-Anx68, pages 9 to 11.

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

The applicant claims that, on 19 January 2003, upon her return from her older sister's house, where she had spent two weeks, she was stopped by a group of Banyamulengués, on the road to [REDACTED] in the [REDACTED] village. She claims that she was raped and her belongings and merchandise were pillaged. The applicant states that, as a consequence of the rape, her husband abandoned her. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹²⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 the road to [REDACTED] on 19 January 2003.

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

The applicant states that in January 2003, upon her return from [REDACTED] where she had bought merchandise, the vehicle she was travelling in was stopped at

¹²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx69; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 138 to 139.

¹²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx69, pages 9 to 11.

¹²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx70; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 140 to 141.

the [REDACTED] [REDACTED], on the road to [REDACTED] by the Banyamulengués troops, who pillaged her merchandise and her money and raped her. The applicant states that, as a consequence of the rape, her husband abandoned her and their children. As a result of the alleged events the applicant claims to have suffered physical, psychological and material harm.¹²⁷

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 at the [REDACTED] [REDACTED] on the road to [REDACTED] in January 2003.

Applicant a [REDACTED]

Claim to victim status

The applicant claims that on 11 November 2002, she was at her older sister's house, close to the [REDACTED] [REDACTED] and she was harassed and raped by the Banyamulengués of Bemba. The applicant states that, as a consequence of the rape, she is the target of constant mockery. As a result of the alleged events the applicant claims to have suffered physical and psychological harm.¹²⁹

Analysis and conclusions

¹²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx70, pages 9 to 11.

¹²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx71; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 142 to 143.

¹²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx71, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant is minor and the application is introduced on her behalf by her brother.

It is stated that, on 31 November 2002, in the context of their raids in [REDACTED] and [REDACTED] three Banyamulengués of Jean-Pierre Bemba arrived at the applicant's place in the [REDACTED] of Bangui. It is alleged that the three of them raped the applicant, who was only 9 years old at that time, one after the other. As a consequence of the violence, the applicant still needs medical treatment every year. It is further contended that they looted their house. 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 material harm.¹³¹

Analysis and conclusions

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

¹³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx76; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 152 to 153.

¹³¹ ICC-01/05-01/08-954-Conf-Exp-Anx76, pages 9 to 11, 18 to 22, 26 to 27.

The Chamber notes that it is stated that the date when the alleged events took place is 31 November 2002 and that the month of November only has 30 days. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects notably that the month and year mentioned in the application fall under the scope of the present case and, taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

As such, the Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a), on the basis that she has suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] part of Bangui on or about 30 November 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] part of Bangui on or about 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 25 and 27 November 2002 he was navigating on the Oubangui River to the village of [REDACTED] (CAR), which is neighbouring the DRC, to sell his merchandise. He alleges that the men of Jean-Pierre Bemba attacked the boat and looted all his goods. According to the applicant, the events occurred on the bank of the Oubangui River, which

¹³² ICC-01/05-01/08-954-Conf-Exp-Anx81; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 162 to 163.

is “neighbouring”¹³³ the DRC. As a result of the alleged events, the applicant claims to have suffered material and psychological harm.¹³⁴

Analysis and conclusions

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

The Chamber recalls that when an applicant refers to acts committed on the Oubangui River, which borders as well the Democratic Republic of Congo, unless it transpires from his or her application that the commission of the criminal act started on CAR territory, the applications for participation shall be rejected.¹³⁵ In the instant case, the Chamber notes that the applicant clearly states that the alleged crimes occurred on the bank of the Oubangui River, “neighbouring” the DRC. As it transpires from this description that the alleged events occurred on the CAR side of the Oubangui River, the Chamber is satisfied that overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his goods on the bank of the Oubangui River, close to the border with the DRC, by the Banyamulengués of Jean-Pierre Bemba between 25 and 27 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 December 2002 his place of residence in the area called [REDACTED] in Bangui was looted by the Banyamulengués.

¹³³ The expression used in the application is “en voisinage du RDC”.

¹³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx81, pages 9 to 11.

¹³⁵ ICC-01/05-01/08-1017, paragraph 58.

¹³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx83; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 166 to 167.

Likewise between 15 and 20 March 2003, the applicant alleges that during the coup of Bozizé, his home was looted a second time. He adds that his wife was stopped in the [REDACTED] area by some rebels and that the latter took the applicant's vehicle, consequently his wife suffered a psychological shock. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹³⁷

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 8 February 2003 the men of Jean-Pierre Bemba arrived at his place in the [REDACTED] in [REDACTED]. He says that they were nine men and three women, heavily armed and speaking Lingala, out of which three were presidential guards of Patassé. He alleges that they asked him to get into their vehicle and, as he refused to, they injured him with their knives. He adds that they thought he was dead and that they left him on the street and proceeded to loot his goods. As a result of the alleged events, the

¹³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx83, pages 9 to 11, 22 to 31.

¹³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx84; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 168 to 169.

applicant claims to have suffered physical, psychological and material harm.¹³⁹

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the MLC men of Jean-Pierre Bemba came to her house in the [REDACTED] area of [REDACTED]. She says that they wanted to go inside the house but she did not let them in. She alleges that, after a consultation among them in Lingala, they dropped a tear-gas bomb that severely injured her right eye. She affirms that they threw her to the ground and then entered the house and pillaged her goods and money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴¹

Analysis and conclusions

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

¹³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx84, pages 9 to 11, 19 to 20, 25 to 28.

¹⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx85; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 170 to 171.

¹⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx85, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 30 October 2002, the MLC men of Jean-Pierre Bemba entered her farm located in the [REDACTED] area of [REDACTED]. She says that she managed to lock the door of the house and to flee with her children. She alleges that they finally broke into her house, looted all her property and destroyed her livestock. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴³

Analysis and conclusions

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

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

Applicant [REDACTED]

¹⁴² ICC-01/05-01/08-954-Conf-Exp-Anx86; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 172 to 173.

¹⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx86, pages 9 to 11, 18.

¹⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx87; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 174 to 175.

Claim to victim status

The applicant states that on 12 February 2003 the Banyamulengués of Jean-Pierre Bemba entered her place of residence located in the [REDACTED] area of [REDACTED]. She says that they tied her arms and mouth and that they asked for money in Lingala, but she could not understand the language properly. She further states that they started beating her children. She alleges that they took her clothes off and raped her in front of her children. Subsequently, they locked her and her older daughter in one of the bedrooms. As a consequence of the violence, she was unconscious for three days and she remained in the bed for one week. She still suffers health problems and she lost her little finger because of the violence. She further alleges that the Banyamulengués looted her house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁴⁵

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 house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 12 February 2003.

Applicant [REDACTED]

¹⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx87, pages 9 to 11, 18, 20 to 28.

¹⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx88; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 176 to 177.

Claim to victim status

The applicant states that on 4 February 2003 the men of Jean-Pierre Bemba arrived in the [REDACTED] area of Bangui shooting bullets in his [REDACTED] café. He says that his computers and material were looted along with those of his clients and personnel. Since that moment, he says that he has not been able to restart his business and that his clients still claim their money back. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁴⁷

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 [REDACTED] café by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui, on 4 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 February 2003 she went to the village of [REDACTED] sub-prefecture of [REDACTED] in order to buy vegetables. Once in front of the [REDACTED], she alleges that six men of Jean-Pierre Bemba captured her and raped her behind the [REDACTED]. She says that, given her precarious physical conditions, they left her on site but, unfortunately, she was subsequently raped by another group of these men. She adds that she is HIV positive and that her

¹⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx88, pages 8 to 10.

¹⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx89; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 178 to 179.

partner who is the father of her child has abandoned her. As a result of the alleged events, the applicant claims to have suffered physical harm.¹⁴⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 23 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 March 2003 the men of Jean-Pierre Bemba came to the village of [REDACTED] sub-prefecture of [REDACTED]. He says that they set the houses on fire, forcing people to flee. He alleges that they stole his two pirogues full of merchandise and materials and took them to the other side of the river, in the village of Samzola, in DRC. Since those events, the applicant has lived in poverty and has not been able to restart his business activity. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁵¹

Analysis and conclusions

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

¹⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx89, pages 8 to 10, 18 to 22.

¹⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx90; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 180 to 181.

¹⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx90, pages 8 to 10, 18 to 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 7 March 2003 the men of Jean-Pierre Bemba arrived at the village of [REDACTED] sub-prefecture of [REDACTED]. She says that several houses were burned down, including hers. She alleges that some of her property was looted and some other burned. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵³

Analysis and conclusions

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

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

Applicant [REDACTED]

¹⁵² ICC-01/05-01/08-954-Conf-Exp-Anx91; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 182 to 183.

¹⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx91, pages 8 to 10, 17 to 18.

¹⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx92; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 184 to 185.

Claim to victim status

The applicant states that in October 2002 the men of Jean-Pierre Bemba irrupted in his house in [REDACTED]. He alleges that they pillaged his goods and that he fled to [REDACTED] with his family. Upon his return, he found that all his belongings had been looted. As a consequence of the stress, he says that his father, already suffering hypertension, died some years later. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁵

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant, namely October 2002, could fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

¹⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx92, pages 9 to 11.

¹⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx93; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 186 to 187.

The applicant states that in November 2002 a group of seven soldiers speaking Lingala, along with one soldier speaking Sango, came to his place in the [REDACTED] area of Bangui. He alleges that they first pillaged the warehouse where he stocked his merchandise and then, they entered the house and looted his belongings. He says that he was also beaten. He adds that he fled with his family and when he came back two months later he found that all his property had been looted. As a consequence of the shock, his wife died one year later. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁵⁷

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 warehouse and his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, as of November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant introduces the application on his own behalf. In addition, he appends a declaration stating that he further purports to act on behalf of his wife and his brother who died at the time of the events.

¹⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx93, pages 9 to 11.

¹⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx94; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 188 to 189 .

The applicant states that, on 19 November 2002, the Banyamulengués cut the throat of his brother in the [REDACTED] area of Bangui. In addition, he alleges that, in November 2002, the men of Jean-Pierre Bemba raped his wife who later died in January 2003. As a result of the alleged events, the applicant claims to have psychological harm. He further claims on behalf of his brother and his wife that they suffered physical harm.¹⁵⁹

Analysis and conclusions

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

Having considered the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the murder of his brother and the rape of his wife by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui in November 2002.

In addition, the Chamber is satisfied that the applicant has provided sufficient evidence on behalf of his wife to establish *prima facie* that the latter 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] Bangui in November 2002. Furthermore, the Chamber considers that the applicant has provided sufficient evidence on behalf of his brother to establish *prima facie* that the latter is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 19 November 2002.

¹⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx94, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that in December 2002 the Banyamulengués arrived in her area [REDACTED] in Bangui. She says that while she was fleeing, the Banyamulengués captured her and took her to the bank of the river, near the [REDACTED] [REDACTED] [REDACTED]. She alleges that she has been used as a wife and a cook for three days and that during that period, she was raped and forced to carry the looted goods to the river. She is now afraid to go for an HIV test. Once released, she hid in the forest with her children and husband until the end of the events in 2003. She says that when they came back to their house, she found that her property had been pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶¹

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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, in December 2002 as well as the pillage of her property by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on an unspecified date as of December 2002.

¹⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx95; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 190 to 191.

¹⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx95, pages 9 to 11.

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

The applicant, a diamond merchant, states that on 11 November 2002 he was coming back home in the [REDACTED] area, [REDACTED] with his diamonds. He says that he met five soldiers, all speaking Lingala except one speaking Sango. He alleges that they insistently asked him money, and then they beat him and took his diamonds. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁶³

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 diamonds by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 11 November 2002.

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

The applicant states that on 18 February 2003 the Banyamulengués entered her property in [REDACTED] in the commune of [REDACTED] [REDACTED]. They spoke Lingala, French and English. She says that her husband got out of the house to speak with them and he was beaten. She alleges that they entered her house, threw her to the ground, tortured her and finally looted all her goods.

¹⁶² ICC-01/05-01/08-954-Conf-Exp-Anx96; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 192 to 193.

¹⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx96, pages 9 to 11.

¹⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx97; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 194 to 195.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁵

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her goods by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 18 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the MLC soldiers of Jean-Pierre Bemba invaded the [REDACTED] area of [REDACTED]. According to the applicant, the soldiers spoke Lingala and were accompanied by Congolese shoe shiners speaking Sango who acted as interpreters. He says that they asked for money and that he wondered why they did not protect the civilian population. MLC soldiers answered that they were in charge to protect President Patassé and his immediate family only. The rest of civilians were enemies. At this point, the applicant alleges that he was hit 200 times, naked and in front of his kids. Subsequently, he states that they raped his two daughters, one of whom died on [REDACTED] November 2002, and beat his children. Finally, he says that they looted all his goods, including a consistent number of diamonds and money. As a

¹⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx97, pages 9 to 11.

¹⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx98; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 196 to 197.

result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁷

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant, the identity of the daughter who died and the kinship between them. Moreover, the Chamber notes that the identity of and relationship with his other daughter are established through the documents appended to the latter's own application.

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 rape of his two daughters and the pillage of his goods, including diamonds and money, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002 the MLC soldiers of Jean-Pierre Bemba invaded the [REDACTED] area of [REDACTED]. She says that they asked her father money and, once he refused, they started beating him. She alleges that other soldiers took her and her older sister to the bedroom and beat them. In addition, she states that, although covered in blood due to the wounds, she was raped. Finally, she alleges that they pillaged all their belongings. As a

¹⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx98, pages 9 to 11, 18 to 19, 21 to 28.

¹⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx99; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 198 to 199.

result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁶⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] [REDACTED] on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 6 November 2002, armed people entered his house. He says that they made him lie facing the ground and that they sat on him. He states that they threatened to kill him and his wife if they shout or resist their orders. He alleges that all his belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷¹

Analysis and conclusions

The Chamber notes that the age of the applicant as indicated in the application form is not consistent with the date of birth appearing on the

¹⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx99, pages 9 to 11, 18, 21.

¹⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx100; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 200 to 201.

¹⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx100, pages 9 to 11, 18.

identity document. It further notes that the applicant did not indicate the place of the alleged event.

As a result of these shortcomings, the application for participation in the proceedings is refused.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 October 2002 five heavily armed men speaking Lingala and wearing military uniform came to his home in the [REDACTED] area, [REDACTED] on the route to the [REDACTED]. He was standing outside with his children, all terrified. He says that, under the threat of a gun, he told them where his money was hidden. He alleges that two of them positioned themselves in the compound and the two others entered his house and pillaged it and put everything on a military vehicle and, after having hit him with the butt of their rifles, they left. He adds that they also asked where his wife was, but he answered that she was dead, while in reality she was at the market. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷³

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant, 23 October 2002, as such falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into

¹⁷² ICC-01/05-01/08-954-Conf-Exp-Anx101; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 202 to 203.

¹⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx101, pages 9 to 11, 18 to 19.

account the fact that the alleged events occurred over seven years ago, such an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 29 and 30 October 2002 and subsequently on 3, 4, 5 and 6 November 2002 the Banyamulengués of Jean-Pierre Bemba came to her house in [REDACTED] [REDACTED] and looted everything they found, which she lists and values in a document annexed to her application. They were based in the [REDACTED]. She further claims that they returned to her compound several times. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁵

Analysis and conclusions

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

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

¹⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx102; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 204 to 205.

¹⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx102, pages 9 to 11, 18 to 19.

Pierre Bemba in [REDACTED] [REDACTED] on 29 and 30 October 2002 and subsequently on 3, 4, 5 and 6 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 Jean-Pierre Bemba's troops settled their base [REDACTED] in [REDACTED] [REDACTED]. He alleges that, until their departure on 15 March 2003, they regularly came and took his personal belongings. He adds that it was dangerous to flee as they could have been shot but he also says that when the soldiers entered his house and occupied it, they took the chance to flee. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on unspecified dates between the period of 3 November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

¹⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx103; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 206 to 207.

¹⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx103, pages 9 to 11, 17.

¹⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx104; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 208 to 209.

The applicant states that between November 2002 and February 2003 the rebels of Jean-Pierre Bemba were based on [REDACTED] [REDACTED], in [REDACTED] just in front of the [REDACTED] [REDACTED] of [REDACTED]. He alleges that they pillaged all the houses in the area, including his home and took the belongings listed in the attached document. He says that he lost goods that he had been collecting over 30 years and that now he has nothing left and he is already retired. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.¹⁷⁹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between November 2002 and February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that from December 2002 to February 2003 the armed militia of Jean-Pierre Bemba pillaged everyone's house, including his place in [REDACTED] [REDACTED] leaving them all empty. He adds that at that time he was ready for retirement but he lost all that he had because of the terrorist acts of

¹⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx104, pages 9 to 11, 20 to 22.

¹⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx105; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 210 to 211.

Bemba's men. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸¹

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between December 2002 and February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, as of 1 October 2002 and on 15, 16, 17 November 2002, the Banyamulengués pillaged her [REDACTED] and her house, located in [REDACTED] [REDACTED] in front of the [REDACTED]. She says that their base was located just [REDACTED]. She adds that they stole the results of 20 years of work, including two vehicles and a consistent amount of [REDACTED] products. As a result of the alleged events, the applicant claims to have suffered material harm.¹⁸³

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant. The Chamber notes that the applicant mentions several dates, one of which (1 October 2002) falls outside the temporal scope

¹⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx105, pages 9 to 11, 20 to 21.

¹⁸² ICC-01/05-01/08-954-Conf-Exp-Anx106; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 212 to 213.

¹⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx106, pages 9 to 11, 20 to 23.

of the present case. However, given that the other dates provided fall under the remit of the case, the Chamber is of the view that such discrepancy should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her [REDACTED] and her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 15, 16 and 17 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 30 October and 1 November 2002 the Banyamulengués came to his kiosk in the [REDACTED] area of [REDACTED] and asked to provide them with food. Once he refused, he says that they beat him and took his merchandise. He further alleges that they also beat his family members and then looted the family house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁸⁵

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

¹⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx107; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 214 to 215.

¹⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx107, pages 9 to 11.

the accused, namely the pillage of his kiosk and his house by the Banyamulengués of Jean-Pierre Bemba between 30 October and 1 November 2002 in [REDACTED]

Applicant [REDACTED]

Claim to victim status

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

It is stated that, between 30 October and 1 November 2002, following the attack of [REDACTED] by the Banyamulengués, they came to the applicant's home in the [REDACTED] area. It is alleged that they threw her on the bed and that twelve men raped her in front of her father and her children. As a consequence of the violence, it is stated that the applicant was mocked and publicly stigmatized as "the woman of the Banyamulengués". She finally passed away on [REDACTED] November 2006. Moreover, it is alleged that they stole all their belongings in the house. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm. Furthermore, the person acting on behalf of the applicant claims that she has also suffered psychological and material harm.¹⁸⁷

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that sufficient evidence has been provided to establish *prima facie* that the

¹⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx108; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 216 to 217.

¹⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx108, pages 9 to 11, 20.

applicant is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 30 October and 1 November 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also 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 rape of her sister and the pillage of her own belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 30 October and 1 November 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that, between 25 October and 29 December 2002, [REDACTED] [REDACTED] the Banyamulengués of Jean-Pierre Bemba repeatedly pillaged his house in [REDACTED]. It is alleged that the applicant did not bear this situation and he died on [REDACTED] December 2002. The person acting on behalf of the applicant adds that her father's death jeopardized the lives of [REDACTED] orphans. As a result of the alleged events, it is claimed that the applicant suffered material harm. The death certificate of the applicant is attached to the form. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological and material harm.¹⁸⁹

Analysis and conclusions

¹⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx110; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 220 to 221.

¹⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx110, pages 9 to 11, 18, 22 to 23.

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

On the basis of 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 25 October and 29 December 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also 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 father's house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 25 October and 29 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant, who was 16 years old at the time of the events, states that on 30 October 2002 his family's home in the [REDACTED] area of [REDACTED] was invaded by Jean-Pierre Bemba's MLC troops. He says that they beat him and ill-treated his father in order to force him to give them money. He alleges that they took him and his older sister to the bedroom where she was raped in front of his eyes. Subsequently, he asserts that he was sodomized by all of them and he lost consciousness. As a consequence of these acts, he had anal injuries and he often vomited. Finally, he alleges that their house was pillaged. As a result of

¹⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx113; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 226 to 227.

the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹¹

Analysis and conclusions

The Chamber notes a discrepancy of 24 days between the date of birth as appearing in the application form and additional statement attached thereto in comparison with his birth certificate. However, given that the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is of the view that this might be the result of inadvertent error in filling in the form and is therefore satisfied that the documents provided sufficiently demonstrate the identity of the applicant. However, in the absence of any document demonstrating the identity of his sister and the kinship between them, the alleged rape of his sister will not 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 house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

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

¹⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx113, pages 9 to 11, 19.

¹⁹² ICC-01/05-01/08-954-Conf-Exp-Anx114; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 228 to 229.

It is stated that, on 4 November 2002, the applicant was on his way back home with his cattle. Once in [REDACTED] [REDACTED] [REDACTED] it is alleged that he ran into the MLC soldiers of Jean-Pierre Bemba and that they asked him for money. After he gave them what he had, they beat him to death and killed 83 of his oxen. It is pointed out that when the wife saw the dead body of her husband, covered in blood, she started trembling and from that moment on she has been suffering psychological problems. As a result of the alleged events, it is claimed that the applicant suffered physical and material harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.¹⁹³

Analysis and conclusions

The Chamber notes that the only document provided as proof of identity of the person acting on behalf is a vaccination card. The Chamber recalls that such document has been rejected as proof of identity.¹⁹⁴ Furthermore, the Chamber considers that the identity of the applicant and the kinship between the applicant and the person acting on his behalf have not been established. Accordingly, the application for participation in the proceedings is refused.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, when the rebels of Bozizé advanced to Bangui, she rented a car to take her family to their home in the village of [REDACTED] sub-prefecture of [REDACTED] along the Oubangui River. She says that at 15.00 hours, the MLC soldiers of Jean-Pierre Bemba arrived by

¹⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx114, pages 9 to 11, 19.

¹⁹⁴ Decision on 772 applications by victims to participate in the proceedings, 18 November 2010, ICC-01/05-01/08-1017, paragraph 42.

¹⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx115; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 230 to 231.

boat and started firing in the air. She alleges that they entered her house and that eleven of them raped her in front of her children. They then pillaged her belongings and forced her and her children to carry the loot to a village in DRC. She further alleges that she was held as a sexual slave for three days and she was released only due to the intervention of the chief of village, who belonged to the same ethnic group as her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.¹⁹⁶

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] [REDACTED] on 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 16 March 2003, when he and his father were coming back from fishing activities along the Oubangui River, they were intercepted by the soldiers of Jean-Pierre Bemba near [REDACTED] in the [REDACTED] district of Bangui. He alleges that they looted their fishing material, tortured them and forced them to carry their luggage to the Congolese village of Zongo. He adds that his father died three months after, as a result of the

¹⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx115, pages 9 to 11, 19 to 28.

¹⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx116; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 232 to 233.

torture he was subjected to. As a result of the alleged events, the applicant claims to have suffered physical and material harm.¹⁹⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and sufficiently demonstrate the identity of his father, and the kinship between them.

The Chamber notes that the date of the alleged events provided by the applicant, 16 March 2003, falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

On the basis of the application as a whole, 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 fishing material by the Banyamulengués of Jean-Pierre Bemba in ██████████ Bangui, on 16 March 2003.

Applicant ██████████

Claim to victim status

The applicant states that on 3 November 2002 the MLC soldiers of Jean-Pierre Bemba took control over the ██████████ area in ██████████. She says that they entered her house, held her older son hostage and asked him money. She alleges that

¹⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx116, pages 9 to 11.

¹⁹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx117; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 234 to 235.

some of them pillaged everything, including a consistent sum of money she was keeping on behalf of some [REDACTED]. She adds that others raped her twelve year old daughter. She further states that she was beaten and that she fell on the ground and started vomiting. She points out that she is now in a situation of extreme poverty. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁰⁰

Analysis and conclusions

The Chamber considers that the documents provided sufficiently 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 the alleged pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002 the Banyamulengués of Jean-Pierre Bemba surrounded his home in the [REDACTED] area of [REDACTED] [REDACTED]. He alleges that once they entered the house, they beat him and raped his two daughters in front of him. As a consequence of the rape, his fifteen years old daughter was infected by HIV virus and died in 2008. In addition, the

²⁰⁰ ICC-01/05-01/08-954-Conf-Exp-Anx117, pages 9 to 11, 28.

²⁰¹ ICC-01/05-01/08-954-Conf-Exp-Anx118; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 236 to 237.

applicant says that, when they realized that he belonged to the Yakoma ethnic group, they accused him to aim at destabilizing President Patassé and they proceeded to loot his house, as detailed in the document attached. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁰²

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 two daughters and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002 six Banyamulengués of Jean-Pierre Bemba went to her home and pillaged her belongings, as listed in the attached document. She adds that they used her son to transport the loot to their base before releasing him. The applicant appends a map to the application form, which suggests that the events took place in [REDACTED] As a

²⁰² ICC-01/05-01/08-954-Conf-Exp-Anx118, pages 9 to 11, 22 to 23.

²⁰³ ICC-01/05-01/08-954-Conf-Exp-Anx119; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 238 to 239.

result of the alleged events, the applicant claims to have suffered psychological and 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 February 2003 on her way back to Bangui, her vehicle was stopped in [REDACTED] by the armed men of Jean-Pierre Bemba who spoke Lingala. She says that they made the passengers get off the vehicle and that they raped the women, including her. She adds that she was tortured and injured. In addition, she also alleges that they took her merchandise. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁰⁶

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

²⁰⁴ ICC-01/05-01/08-954-Conf-Exp-Anx119, pages 9 to 11, 20 to 22.

²⁰⁵ ICC-01/05-01/08-954-Conf-Exp-Anx120; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 240 to 241.

²⁰⁶ ICC-01/05-01/08-954-Conf-Exp-Anx120, pages 4, 9 to 11.

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 merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 February 2003 he was watching television at his home in the [REDACTED] area, in the [REDACTED] *arrondissement* of Bangui, when he heard some noise at the front door. He says that when he went to check, he found the armed men of Jean-Pierre Bemba, who spoke Lingala. He alleges that they asked him to take his clothes off and that they raped him under the threat of a gun. He adds that they pillaged his house. As a result of the alleged events, the applicant claims to have suffered physical 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 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 house by the

²⁰⁷ ICC-01/05-01/08-954-Conf-Exp-Anx121; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 242 to 243.

²⁰⁸ ICC-01/05-01/08-954-Conf-Exp-Anx121, pages 4, 9 to 11.

Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on 26 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 26 February, her husband was having a shower when the armed men of Jean-Pierre Bemba came to her house in [REDACTED] *arrondissement* of Bangui and asked for him. She says that when one of them heard noise in the shower he ran there and killed him. She alleges that they then raped her and her daughter. In addition, she says that her house was pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²¹⁰

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, the identity of her husband and the kinship between them, only the alleged rape of the applicant and the alleged pillage will be considered for the purpose of the present assessment.

The Chamber notes that the date of the alleged events provided by the applicant (26 February) is not precise enough to be located within the temporal framework of the present case. Nevertheless, the Chamber considers that the general circumstances described in the application and the similarity with application [REDACTED] suggest that the events took place in 2003. As a result, such inaccuracy as to the exact date of the events should not serve to exclude the applicant.

²⁰⁹ ICC-01/05-01/08-954-Conf-Exp-Anx122; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 244 to 245.

²¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx122, pages 4, 9 to 11.

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 house by the Banyamulengués of Jean-Pierre Bemba in Bangui on 26 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 November 2002, when the Banyamulengués of Jean-Pierre Bemba invaded [REDACTED] in [REDACTED] they started committing systematic pillages. He says that they finally arrived near the hospital where he lived. After some threats in Lingala, he alleges that the Banyamulengués slapped him in the face and pillaged the belongings listed in the attached annex. As a consequence of the beating, the problem at his right eye became more serious and it still continues despite medical treatment. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²¹²

Analysis and conclusions

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

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

²¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx123; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 246 to 247.

²¹² ICC-01/05-01/08-954-Conf-Exp-Anx123, pages 4, 9 to 11.

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

The applicant states that on 28 November 2002, when the Banyamulengués of Jean-Pierre Bemba invaded [REDACTED] on the route to [REDACTED] she left her family farm. She alleges that they pillaged her material as well as her animals and that they destroyed her two houses, the buildings for the cattle and the fields. As a consequence of these acts, she says that she is no longer able to rebuild her agricultural activity. 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.

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 material and her animals by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 November 2002.

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

The applicant states that on 29 October 2002 the soldiers of Jean-Pierre Bemba were based in the [REDACTED] area, [REDACTED] near the [REDACTED] of [REDACTED]. She says that 5 soldiers speaking Lingala and one speaking Sango went to her

²¹³ ICC-01/05-01/08-954-Conf-Exp-Anx124; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 248 to 249.

²¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx124, pages 9 to 11.

²¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx125; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 250 to 251.

home, [REDACTED] metres from [REDACTED] and demanded for money. She explains that, while she was blindfolded, they were discussing whether to kill her and throw the body in the bush or rape her in turns. Finally, she alleges that they stole her money and raped her one after another. The same day she fled to [REDACTED]. As a result of the alleged events, the applicant claims to have suffered physical and 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 her rape and the pillage of her money by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area, [REDACTED] on 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant says that her house was located in the [REDACTED] area, [REDACTED] in about [REDACTED] km from the base of the MLC troops of Jean-Pierre Bemba. She alleges that, on 28 October 2002 in the morning, nine soldiers came and asked in Lingala who was the chief of the house. As she could not answer properly in Lingala, she made them understand by gestures that her husband was deceased. They asked her for the keys of the house and of the stockroom and then they ordered her to leave the house without taking anything with her.

²¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx125, pages 9 to 11, 18.

²¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx126; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 252 to 253.

She alleges that they pillage everything and when she came back one week later the house was empty. She adds that she went with her children to [REDACTED] at her grandmother's place, [REDACTED] km from Bangui. As a result of the alleged events, the applicant claims to have suffered psychological and 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Sunday morning between 25 and 30 October 2002 the Banyamulengués of Jean-Pierre Bemba pillaged his merchandise which was stocked in a deposit in the [REDACTED] area, in [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁰

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

²¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx126, pages 9 to 11, 20

²¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx127; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 254 to 255.

²²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx127, pages 9 to 11

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 merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 25 and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that a Sunday morning between 25 and 29 October 2002 soldiers speaking Lingala came to her house in the [REDACTED] area, in [REDACTED]. She alleges that they entered her home by force and that they started pillaging her belongings. She says that they also told her to go away. She adds that her brother, who was present at the scene, died four years later due to hypertension. As a result of the alleged events, the applicant claims to have suffered 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

²²¹ ICC-01/05-01/08-954-Conf-Exp-Anx128; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 256 to 257.

²²² ICC-01/05-01/08-954-Conf-Exp-Anx128, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in [REDACTED] between 25 and 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 November 2002, four armed soldiers entered her house behind the [REDACTED] [REDACTED] in [REDACTED] [REDACTED] at [REDACTED]. She says that they spoke a language she did not understand. She alleges that, as she was terrified, she left her house with her four children and when she returned a week later, she found that her house had been pillaged. She attaches a list of stolen belongings that she wrote together with the *chef du quartier*. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²²⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

²²³ ICC-01/05-01/08-954-Conf-Exp-Anx141; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 282 to 283.

²²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx141, pages 9 to 11, 19.

²²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx149; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 298 to 299.

Claim to victim status

The applicant states that, between 30 October and 21 November 2002, the rebels of Jean-Pierre Bemba, known as Banyamulengués, entered the Central African Republic territory through the Oubangui River. He alleges that a first group of 14 rebels, followed by other bunches of 4 to 5 soldiers, invaded his house in the [REDACTED] area of [REDACTED] in [REDACTED] and looted his belongings. He further states that he left his house because it was taken by the soldiers. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²²⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] between 30 October and 21 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 10 November 2002 the Banyamulengués of Jean-Pierre Bemba entered his house in [REDACTED] as designed in the map he attaches. He alleges that 10 armed soldiers kicked in the house door, threatened to kill him and, room by room, pillaged all his belongings. As a result of the alleged

²²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx149, pages 9 to 11, 18.

²²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx150; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 300 to 301.

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.

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 10 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the day after the Banyamulengués arrived in [REDACTED] they pillaged his shop. He alleges that on 4 November 2002 the soldiers also looted his house. He claims he lost his belongings and his merchandise, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and 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

²²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx150, pages 9 to 11, 19 to 20

²²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx151; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 302 to 303.

²³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx151, pages 9 to 11, 21 to 22.

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 3 and 4 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 8 November 2002, after the Banyamulengués took control over ██████████ they broke into every house searching for rebels. He alleges that fifteen armed men entered his house, located in ██████████ threatening him with their guns; he also says that they confined him for a few hours. He further states that they looted his property which he lists and values. As a result of the alleged events, the applicant claims to have suffered 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 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 8 November 2002.

Applicant ██████████

Claim to victim status

²³¹ ICC-01/05-01/08-954-Conf-Exp-Anx152; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 304 to 305.

²³² ICC-01/05-01/08-954-Conf-Exp-Anx152, pages 9 to 11, 19 to 20.

²³³ ICC-01/05-01/08-954-Conf-Exp-Anx153; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 306 to 307.

The applicant states that during the night of 30 to 31 October 2002 the Banyamulengués entered the territory of the CAR, crossing the river, and between 31 October and 21 November 2002 they occupied the [REDACTED] area of [REDACTED] where his house is located. He says that they entered his house and forced him to leave, but he stayed behind his house and witnessed how they looted all his property. He lists and values some of his lost belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²³⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] on an unspecified date between 30 October and 21 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 December 2002, twelve rebels of Jean-Pierre Bemba invaded her plot, located in the [REDACTED] area of [REDACTED] [REDACTED]. She alleges that eight of them raped her while four of them were pillaging and transporting her belongings using her rickshaw. The applicant lists and values her loss. She further claims that, as a consequence, she is discriminated

²³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx153, pages 9 to 11, 19.

²³⁵ ICC-01/05-01/08-954-Conf-Exp-Anx154; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 308 to 309.

against by the community and is not able to have children and get married. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁶

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] [REDACTED] on 2 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 February, while she was at home with her husband, Bemba's armed men broke into their house, located in the [REDACTED] *arrondissement* of Bangui. She alleges that she tried to flee but one of the men caught her and, in spite of her age they raped her in the presence of her husband. She further claims that they shot her husband and killed him. Moreover, she alleges that the soldiers looted all the belongings her husband left her, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²³⁸

²³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx154, pages 9 to 11, 19.

²³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx155; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 310 to 311.

²³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx155, pages 9 to 11.

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 husband and the kinship between them, only rape and pillage will be considered for the purpose of the present assessment.

The Chamber notes that the applicant does not specify the year of the events and as such, the alleged events could fall outside the scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, this omission might be the result of inadvertent error in filling in the form and should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in the ■■■■■ *arrondissement* of Bangui on 26 February 2003.

Applicant ■■■■■

Claim to victim status

The applicant states that on 26 February 2003, when she was at home with her husband, in ■■■■■ ■■■■■ *arrondissement* of Bangui, some men speaking Lingala, a language which she and her husband did not understand, came to their house and one of them shot her husband. She alleges that they took her inside the house and raped her and that they also hit and injured her children when they started crying. She also claims that when her aunt heard the

²³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx156; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 312 to 313.

gunshot she came to the house and was also shot; as a result she died in the fields. The applicant lists and values the belongings she lost. 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. However, in the absence of any documents demonstrating the identities of her husband and her aunt and the kinship between them, only 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 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 26 February 2003.

Applicant ██████████

Claim to victim status

The applicant states that on 29 October 2002, the Banyamulengués seized ██████████ ██████████ ██████████ and nine of them stopped her in front of her house, located behind the ██████████ ██████████ ██████████. She claims that they sexually harassed her in a savage manner and they took her to ██████████. She states that, to this day, she has problems sleeping because of the treatment she was subjected to and that she was infected with HIV. She also contends that she lost her assets and

²⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx156, pages 9 to 11.

²⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx157; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 314 to 315.

clothes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁴²

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 [REDACTED], [REDACTED] and [REDACTED] on 29 October 2002.

Applicant [REDACTED]

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 [REDACTED], [REDACTED] and forced them to leave. He says that the 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 the belongings he lists and values. He says that after the events he suffers from cardiac problems. As a result of the alleged

²⁴² ICC-01/05-01/08-954-Conf-Exp-Anx157, pages 9 to 11.

²⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx158; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 316 to 317.

events, the applicant claims to have suffered physical, psychological and material harm.²⁴⁴

Analysis and conclusions

The Chamber notes a significant discrepancy of 31 years between the date of birth as appearing in the application form, on one hand, and on the national identity card and the driving licence attached thereto, on the other hand. Accordingly, the Chamber considers that the identity of the applicant is not sufficiently established and therefore rejects the application for participation in the proceedings.

Applicant [REDACTED]

Claim to victim status

The applicant states that upon his return from the bush, after the withdrawal of the troops of Bozizé, the Banyamulengués of Jean-Pierre Bemba occupied the family plot establishing their headquarters in the three houses located there. He contends that the events took place from October 2002 to March 2003. He alleges that they looted his house, located in the [REDACTED] area of [REDACTED] [REDACTED] that they slept on his mattress and that they used some of his furniture as firewood. 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.²⁴⁶

Analysis and conclusions

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

²⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx158, pages 9 to 11, 21.

²⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx159; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 318 to 319.

²⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx159, pages 9 to 11, 18 to 19.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] [REDACTED] in the period between October 2002 and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 November 2002 the Banyamulengués, who occupied the [REDACTED] *arrondissement* and committed murders, rapes and pillages, came to her house, located in the [REDACTED] area, and pillaged everything, leaving it completely empty; she claims that she still sleeps on the floor. The applicant states that she fled to the fields to hide from Bemba's men. Further, she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered material harm.²⁴⁸

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 25 November 2002.

²⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx160; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 320 to 321.

²⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx160, pages 10 to 11.

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

The applicant states that on 1 November 2002, the Banyamulengués seized the [REDACTED] area of Bangui, [REDACTED] *arrondissement*, where he lives. He alleges that some men, speaking Lingala and bad French, entered his shop and asked him for money and, when he replied that he did not have any, they started searching the shop and, when they found the hidden money, they beat him until he fell on the ground. He states that they wanted to kill him and that they looted his shop and his house, which is located next to his shop. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁰

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 on 1 November 2002.

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

The applicant states that on 31 November 2002, Bemba's armed men were in control of [REDACTED] [REDACTED] and [REDACTED] [REDACTED] and [REDACTED] in the [REDACTED] of

²⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx161; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 322 to 323.

²⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx161, pages 10 to 12.

²⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx162; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 324 to 325.

Bangui and they were raping women and pillaging the belongings of innocent people. She alleges that twenty armed men entered her house and ten of them raped her while the others looted her belongings, which she lists and values. 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 notes that the date of the alleged events provided by the applicant is 31 November 2002. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects, notably the fact that the year and the month fall under the scope of the present case, and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

As such, 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, in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002, the Banyamulengués had control over Bangui, including the [REDACTED] area. She alleges that eight armed

²⁵² ICC-01/05-01/08-954-Conf-Exp-Anx162, pages 10 to 12, 20.

²⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx163; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 326 to 327.

Banyamulengués took her by surprise, while she was cooking, and five of them raped her, one after the other. She further claims that the Banyamulengués entered her house a second time on 30 November 2002 and looted her belongings that she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁵⁴

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 24 and 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, he was at his aunt's house, located in [REDACTED] Bangui. He says that it was impossible to leave the house because of the presence of the Banyamulengués who took control over the area. He alleges that all of a sudden, they entered his aunt's house and found him and his two cousins. The applicant claims that he fled and that one of the Banyamulengués chased him and started shooting in the air to intimidate him and, when the soldier finally caught him, he beat and tortured him. Further,

²⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx163, pages 10 to 12, 20.

²⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx164; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 328 to 329.

he adds that the house was looted. As a result of the alleged events, the applicant claims to have suffered physical and material harm.²⁵⁶

Analysis and conclusions

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

The Chamber notes that, according to the applicant, the events took place at his aunt's house. Furthermore, there is 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. For these reasons the Chamber considers that *prima facie* the applicant has no standing to claim personal harm as a result of the pillage and as such, this application to participate in the proceedings should be rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on the night of 30 to 31 October 2002 the Banyamulengués crossed the Oubangui River and invaded the northern part of the CAR, where they stayed until 22 November 2002. He claims that they entered his house, located in [REDACTED] and forced him to leave, but he stayed behind his house and witnessed how they took away his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁵⁸

Analysis and conclusions

²⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx164, pages 10 to 12.

²⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx165; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 330 to 331.

²⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx165, pages 10 to 12, 19.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 November 2002, the [REDACTED] area of [REDACTED] was under the control of the Banyamulengués who were spreading terror among the population. She alleges that her husband fled together with some of their children, while she stayed at the house with the younger children. She claims that it was then when the soldiers broke into her compound and looted all her belongings which she lists and values. As a result of the alleged events, the applicant claims to have suffered 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 the [REDACTED] area of [REDACTED] on 26 November 2002.

²⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx166; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 332 to 333.

²⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx166, pages 10 to 11.

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

The applicant states that on 14 February 2003, the Banyamulengués established their base in [REDACTED] and, whereas all the population fled to the bush, she decided to go to Bangui because she could not stand the bombings. She claims that upon her arrival in [REDACTED] twenty soldiers speaking Lingala intercepted her and three of them took her by force and raped her behind a house, while she was carrying a baby in her back. As a result of the alleged events, the applicant claims to have suffered physical and psychological 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 her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 14 February 2003.

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

The applicant states that on 5 March 2003, she and her husband decided to flee because the Banyamulengués took control over the [REDACTED] area, where

²⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx167; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 334 to 335.

²⁶² ICC-01/05-01/08-954-Conf-Exp-Anx167, pages 10 to 12.

²⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx168; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 336 to 337.

their house was located. She alleges that the Banyamulengués entered her house and, as they realized there was no one in the house, they looted the belongings she lists and values. As a result of the alleged events, the applicant claims to have suffered material harm.²⁶⁴

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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in the [REDACTED] area on 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002, she went to the [REDACTED] market in order to buy meat and Bemba's men, who were based in [REDACTED] took her by force, threw her to the ground and shoot her in the left arm; she states that she lost consciousness for three hours and that some people took her to the hospital. She alleges that they also took her money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁶⁶

²⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx168, pages 10 to 12.

²⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx169; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 338 to 339.

²⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx169, pages 10 to 12.

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 attempted murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] on an unspecified date in October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 March 2003, when she was living in [REDACTED] together with her husband, the Banyamulengués grabbed her from her husband's arms and raped her, one after the other. She further states that her husband abandoned her after the rape. The applicant lists the medical expenses. As a result, the applicant claims to have suffered physical and psychological harm.²⁶⁸

²⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx170; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 340 to 341.

²⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx170, pages 10 to 12.

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 by the Banyamulengués of Jean-Pierre Bemba, in ██████ on 3 March 2003.

Applicant ██████

Claim to victim status

The applicant states that on 3 November 2002 when the MLC seized ██████ ██████ all the men of the area fled. She alleges that when the Banyamulengués broke into her house she hid under the bed but they entered her bedroom and took her out of her hiding place and started beating her. She further claims that they looted all her property, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and 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 she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against

²⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx171; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 342 to 343.

²⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx171, pages 10 to 12, 20, 30.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in early November 2002, in [REDACTED] she was taken by force by nine Banyamulengués who raped her. She says they also took her clothes and her wallet. She claims that her husband abandoned her and that she is stigmatized. 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] Bangui, in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 25 November 2002 the Banyamulengués arrived in Bangui firing their guns and the population fled seeking refuge. Upon her return she found that her house had been looted by the Banyamulengués. She

²⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx172; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 344 to 345.

²⁷² ICC-01/05-01/08-954-Conf-Exp-Anx172, pages 10 to 12.

²⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx173; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 346 to 347.

says that she lost everything and that she still sleeps on the floor. As a result of the alleged events, the applicant claims to have suffered 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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in Bangui on an unspecified date as of 25 November 2002.

Applicant ██████████

Claim to victim status

The applicant, a merchant, states that on 28 November 2002, she returned from ██████████, having bought merchandise and found that the city was under the attack of Bemba's soldiers. She claims that nine men, eight of them speaking Lingala and one of them speaking Sango, entered her house, located in the ██████████ area, ██████████ *arrondissement*, and asked her for money. She states that she gave them money and that they looted her belongings, including the merchandise she purchased from Douala, which they carried with her rickshaw. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁷⁶

Analysis and conclusions

²⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx173, pages 10 to 12.

²⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx174; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 348 to 349.

²⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx174, pages 10 to 12, 19.

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

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

Applicant ██████████

Claim to victim status

The applicant states that on 3 November 2002 her husband was away on a trip while she was at home with her children. She says that the Banyamulengués surrounded her house, located in ██████████ ██████████ and found her in the living room with two of her children. She alleges that they harassed and raped her and, as a result, she was infected with HIV. She further contends that her husband abandoned her and that she had to leave the house. As a result of the alleged events, the applicant claims to have suffered psychological and physical harm.²⁷⁸

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

²⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx175; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 350 to 351.

²⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx175, pages 10 to 12.

the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 and 30 October 2002, the Banyamulengués took control over the [REDACTED] area of the [REDACTED] *arrondissement* of Bangui. He alleges that he was intercepted by the Banyamulengués in front of his house and that they thought he was a soldier. He says that they asked him for money, tortured him and later, took his money and his clothes, leaving him naked in the street. Further, he states that they looted his house and transported his belongings in their military vehicles. He lists and values his loss in a document annexed to his application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁸⁰

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 and 30 October 2002.

Applicant [REDACTED]

²⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx176; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 352 to 353.

²⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx176, pages 10 to 12, 19, 21.

²⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx177; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 354 to 355.

Claim to victim status

The applicant states that on 24 November 2002 the Banyamulengués broke into her house, located in the [REDACTED] area, twice. She claims that they looted all her belongings, including her animals and an important sum of money. She lists and values her loss. 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.

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 on 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, the Banyamulengués, who had control over Bangui, broke into his house, located in the [REDACTED] area in front of the [REDACTED]. He says that they asked him for money, in bad French, and when he replied he did not have any, they started beating him. He alleges that the younger soldiers started looting all his belongings and the older ones raped his daughter, one after another. He further states that he took his daughter to get tested and that she is HIV positive. The applicant lists and

²⁸² ICC-01/05-01/08-954-Conf-Exp-Anx177, pages 10 to 12.

²⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx178; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 356 to 357.

values his loss. 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. However, in the absence of any document demonstrating the 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 [REDACTED] on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the MLC soldiers known as the Banyamulengués entered her compound and started killing people. She claims that two soldiers broke into her house, located in the [REDACTED] area of [REDACTED] and pointed their guns at her. She alleges that they asked her for a mobile phone and for money and when she replied she did not have any money, nor a mobile phone, they started beating her. She further claims that they raped her and that they looted all her belongings, which she lists and values in a document annexed to her application. She further adds that she was infected with HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁸⁶

²⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx178, pages 10 to 12, 21.

²⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx179; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 358 to 359.

²⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx179, pages 10 to 12, 21.

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, Bemba's men broke into her house, located in the [REDACTED] area of Bangui, [REDACTED] *arrondissement*. She claims that she witnessed how they looted all her belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.²⁸⁸

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

²⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx180; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 360 to 361.

²⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx180, pages 10 to 12, 18 to 19.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, after the Banyamulengués took control over the [REDACTED] area of [REDACTED] they broke into the applicant's house and asked her for money and gold jewellery; as she replied she did not have any, they hit her in the head and one of them kicked her in the low stomach. The applicant further claims that they looted all her belongings, which she lists and values in a document annexed to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁰

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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 3 November 2002.

²⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx181; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 362 to 363.

²⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx181, pages 9 to 14, 19.

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

The applicant states that on 3 November 2002, on her way home from a religious service, she saw the vehicles of the Banyamulengués going towards her house, located behind the [REDACTED] [REDACTED] next to the fountain located in her compound. She alleges that they broke into her house and that their chief took her daughter and raped her; as a result her daughter was infected with HIV. She alleges that they abducted her daughter and used her as a sexual slave until 15 March 2003. She further states that they looted her belongings, which she lists and values. 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. 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 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 3 November 2002.

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

²⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx182; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 364 to 365.

²⁹² ICC-01/05-01/08-954-Conf-Exp-Anx182, pages 9 to 11, 19.

²⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx183; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 366 to 367.

The applicant states that on 3 November 2002, the Banyamulengués took control over the [REDACTED] area of [REDACTED] where his compound was located. He says that they broke into his compound, raped his mother and sister in front of him and, when he tried to react, they threw him to the ground, stabbed him in the left cheek and beat him with their guns. He alleges that the soldiers looted his belongings and his livestock, occupied his house until 15 March 2003 and destroyed it. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁴

Analysis and conclusions

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

However, in the absence of any document demonstrating the identity of his mother and sister 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 [REDACTED] [REDACTED] in the period between 3 November 2002 and 15 March 2003.

Applicant [REDACTED]

²⁹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx183, pages 9 to 11, 25.

²⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx184; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 368 to 369.

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués, who spoke Lingala and some of them Arabic, came to her compound, located in the [REDACTED] area of the [REDACTED] Sub-prefecture. She claims that they asked her husband for money and that her husband told her to give them all the money she had; then, they entered her house and started looting everything. She alleges that despite her protests, they threw her on the bed and three of them raped her. 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.²⁹⁶

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that she is a tradeswoman who sells her merchandise in the village of [REDACTED] [REDACTED] Sub-prefecture of [REDACTED]. She claims that on 3 November 2002, the Banyamulengués broke into her house firing their guns,

²⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx184, pages 9 to 11, 19.

²⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx185; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 370 to 371.

hit her and took her money as well as the money her son hid at her place when he fled. She further alleges that and looted her belongings, which she lists and values. The applicant also claims that they sprayed a substance in her eyes and that her vision has been impaired. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.²⁹⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house, to the extent of her money and belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués broke into her house, located in [REDACTED], and confined her. She alleges that they

²⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx185, pages 9 to 11, 19.

²⁹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx186; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 372 to 373.

asked her for money and, when she replied she did not have any, they started beating her. She claims that she was scared and she gave them her son's money. She further contends that they looted all her belongings, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰⁰

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 the Sub-prefecture of [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, the Banyamulengués took control over [REDACTED] [REDACTED] [REDACTED]. He alleges that they wanted to kill him so he gave them the money he earned by selling some cattle. The applicant also claims that they looted his belongings, including his cattle. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁰²

Analysis and conclusions

³⁰⁰ ICC-01/05-01/08-954-Conf-Exp-Anx186, pages 9 to 11, 19.

³⁰¹ ICC-01/05-01/08-954-Conf-Exp-Anx187; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 374 to 375.

³⁰² ICC-01/05-01/08-954-Conf-Exp-Anx187, pages 9 to 11, 19.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 2 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués took control over ██████████ ██████████ ██████████ where he was selling his cattle. He alleges that the soldiers stopped him, threw him to the ground and beat him. The applicant also claims that they sprayed a toxic substance in his eyes and as a result his vision has been impaired. He further states that they looted his belongings, which he lists and values, and his money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰⁴

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

³⁰³ ICC-01/05-01/08-954-Conf-Exp-Anx188; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 376 to 377.

³⁰⁴ ICC-01/05-01/08-954-Conf-Exp-Anx188, pages 9 to 11, 20.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 15 March 2003, the Banyamulengués broke into her house, located in the [REDACTED] area of Bangui, [REDACTED] *arrondissement*. She claims that they beat her partner to death, while their chief raped her in public. She further states that the soldiers took her to the DRC where they used her as a sexual slave and that she managed to escape after two weeks. 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.³⁰⁶

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 partner and the kinship between them, only 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 her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 15 March 2003.

Applicant [REDACTED]

³⁰⁵ ICC-01/05-01/08-954-Conf-Exp-Anx189; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 378 to 379.

³⁰⁶ ICC-01/05-01/08-954-Conf-Exp-Anx189, pages 9 to 11, 19.

³⁰⁷ ICC-01/05-01/08-954-Conf-Exp-Anx190; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 380 to 381.

Claim to victim status

The applicant states that on 14 November 2002, the Banyamulengués entered his compound, located in [REDACTED] [REDACTED] and asked him for money, but he replied he did not have any. He claims that four of them forced his wife to go inside the house and raped her in a savage manner. The applicant states that after the Banyamulengués left he sent his wife to her parent's home. He further alleges that on 16 November 2002, the Banyamulengués came back to his house looking for his wife in order to rape her again and, when he told them that she was not there anymore they hit him severely and forced him to leave the house. The applicant states that they occupied his house until 15 March 2003. He claims that upon his return, he found that all his belongings had been looted and that his house had been destroyed. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁰⁸

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 wife 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 [REDACTED] on 14 and 16 November 2002.

³⁰⁸ ICC-01/05-01/08-954-Conf-Exp-Anx190, pages 9 to 11, 20.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, she spent the night in the church, together with her family, in order to escape the dangers posed by the Banyamulengués. She claims that in her absence, the armed men of Jean-Pierre Bemba broke into her houses, located in [REDACTED] [REDACTED] and [REDACTED] and looted all her belongings. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³¹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, after the Banyamulengués took control over the [REDACTED] [REDACTED] *arrondissement*, they broke into her house, located behind the "[REDACTED]". She alleges that four men raped her while the others savagely beat her husband. She further states that they looted all her

³⁰⁹ ICC-01/05-01/08-954-Conf-Exp-Anx191; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 382 to 383.

³¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx191, pages 9 to 11, 19.

³¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx192; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 384 to 385.

belongings, which she lists and values, and that they transported the pillaged goods using a vehicle. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³¹²

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 30 October 2002.

Applicant ██████

Claim to victim status

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

It is stated that on 7 November 2002, when the Banyamulengués entered the applicant's house, located in the ██████ area of ██████ he hid under the bed. The person acting on the applicant's behalf claims that the soldiers asked her for money and then they threw her to the ground and atrociously raped her, while some other soldiers looted the house. She states that when they took the bed they found the applicant and shot him. She further alleges that the applicant was taken to the hospital where he died. The person acting on behalf appends a death certificate to the application, which states that the applicant died on █ November 2002. As a result of the alleged events, it is

³¹² ICC-01/05-01/08-954-Conf-Exp-Anx192, pages 9 to 11, 19.

³¹³ ICC-01/05-01/08-954-Conf-Exp-Anx193; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 386 to 387.

claimed that the applicant suffered physical harm. Furthermore, the person acting on behalf of the applicant claims to have suffered physical, psychological and material harm³¹⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 10 February 2003, Bemba's troops arrived in [REDACTED] and entered her house, located in the [REDACTED] area of [REDACTED] in [REDACTED]. She says that they spoke Lingala and they asked her for money, but she replied she did not have any and they then ordered her to go to the bedroom, but she refused.

³¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx193, pages 9 to 11, 21.

³¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx194; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 388 to 389.

She further claims that they threw her to the ground and ten of them raped her and her two daughters; she states that, as a result, they are now being called 'the women of the Banyamulengués'. The applicant also states that they looted all her property, including her money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³¹⁶

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 daughters and the kinship between them, only her 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 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] [REDACTED] on 10 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 March 2003, the Banyamulengués arrived in the [REDACTED] village and broke into her house. She claims that they took her by force and they vaginally and anally raped her, one after another. She further states that they looted her property, including her money and they

³¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx194, pages 9 to 11.

³¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx195; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 390 to 391.

injured her and left her in the house. The applicant states that the Banyamulengués left to the DRC the next day. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³¹⁸

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 13 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 November 2002, the Banyamulengués broke into her house, located in [REDACTED] behind the [REDACTED] of [REDACTED] took her daughter from her arms and threw her in a salted water canal; she states that her daughter drank the water for hours. The applicant further claims that she was thrown to the ground and she was vaginally, anally and orally raped. She alleges that they ejaculated in her mouth and broke three of her teeth. She further states that they looted all her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²⁰

³¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx195, pages 9 to 11.

³¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx196; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 392 to 393.

³²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx196, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the time of the events, Bemba's troops had their base in [REDACTED] next to [REDACTED] [REDACTED]. She claims that, on 25 February 2003, six armed men broke into her house and they found the applicant's husband in the living room, reading the newspaper. She states that after they tied her husband to the sofa, they took her clothes off and raped her, one after the other, in front of her husband; she also states that they spat on her. The applicant claims that the soldiers looted her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²²

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

³²¹ ICC-01/05-01/08-954-Conf-Exp-Anx197; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 394 to 395.

³²² ICC-01/05-01/08-954-Conf-Exp-Anx197, pages 9 to 11.

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] [REDACTED] [REDACTED] on 25 February 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, five Banyamulengués came to her house, located in the [REDACTED] area of Bangui, and asked her where the “head of the house” was; she states that she could not understand Lingala and that she replied that he was dead. The applicant states that at the time of the events she was under the influence of alcohol and that when they asked her for money she replied she did not have any. She further claims that they cut her right thumb and her right index finger and that they took her money and pillaged and destroyed some of her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³²⁴

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 Bangui on 28 October 2002.

³²³ ICC-01/05-01/08-954-Conf-Exp-Anx198; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 396 to 397.

³²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx198, pages 9 to 11.

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

The applicant states that on 29 October 2002, despite his efforts to hide his livestock from the Banyamulengués, when they came to his house, located in the [REDACTED] area, [REDACTED] they forced him to leave and they looted his belongings and his livestock. As a result of the alleged events, the applicant claims to have suffered 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 he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] on 29 October 2002.

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

The applicant states that on 29 and 30 October 2002, when the Banyamulengués invaded [REDACTED] he fled, together with his family, to [REDACTED] leaving all his property behind, in the [REDACTED] [REDACTED] he claims that his house had been pillaged. He alleges that his wife managed to take a purse with money and jewellery, but the purse was also pillaged by the

³²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx199; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 398 to 399.

³²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx199, pages 9 to 11.

³²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx200; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 400 to 401.

soldiers. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³²⁸

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 and 30 October 2002.

Applicant ██████

Claim to victim status

The applicant states that between 26 October and 30 November 2002, the Banyamulengués broke into his house, located in the ██████ area. He claims that they took his clothes off and threw him to the ground, accusing him of being a rebel. He further alleges that they took him to their military base in ██████ on the road to ██████ and they kept him hostage, without food and water. He alleges that the MLC soldiers wanted to kill him, but they decide not to and on 4 November 2002 they handed him over to the presidential guards, who took him to the police station, where it was established that he was never a rebel. The applicant claims that during this time the soldiers pillaged his house. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³³⁰

³²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx200, pages 9 to 11, 22.

³²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx201; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 402 to 403.

³³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx201, pages 9 to 11, 22.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, Bemba's rebels broke into his house, located in [REDACTED] in search for rebels. The applicant claims that they looted all his belongings and they also pillaged and destroyed his shop and used it as firewood. The applicant lists his loss in a document annexed to his application. As a result of the alleged events, the applicant claims to have suffered psychological 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

³³¹ ICC-01/05-01/08-954-Conf-Exp-Anx202; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 404 to 405.

³³² ICC-01/05-01/08-954-Conf-Exp-Anx202, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, the Banyamulengués broke into his house, located in [REDACTED] [REDACTED]. He states that, at the time of the events, his father was very sick and he could not move. He contends that three soldiers took his younger sister and raped her in the living room and when he went to the room five soldiers held him at gunpoint, beat him, and took his money and a phone. The applicant says that because his sister and his father were crying, the Banyamulengués started shooting in the air. The applicant claims that his father died after these events. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³³⁴

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 sister 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 [REDACTED] [REDACTED] on 30 October 2002.

³³³ ICC-01/05-01/08-954-Conf-Exp-Anx203; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 406 to 407.

³³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx203, pages 9 to 11.

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

The applicant states that on 28 October 2002, Bemba's men broke into his house, located in [REDACTED] on the road to [REDACTED] and they looted his belongings, which he lists and values. He claims that they intended to kill him, but his life was saved at the last moment due to a woman's intervention. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³³⁶

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 28 October 2002.

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

The applicant states that on 29 October 2002, while he was at home, the Banyamulengués, broke into his house, located in [REDACTED] [REDACTED] and pillaged his house and his shop. The applicant states that when he asked their chief the reason why they are doing this, he did not reply and one of the

³³⁵ ICC-01/05-01/08-954-Conf-Exp-Anx204; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 408 to 409.

³³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx204, pages 9 to 11, 18.

³³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx205; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 410 to 411.

soldiers broke his right leg. The applicant lists and values his loss in a separate document annexed to his application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³³⁸

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 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2010, Bemba's armed men entered his compound, located in [REDACTED] [REDACTED] shooting in the air and forced him and his family to leave the house. He claims that he and his family left without taking anything and that the soldiers occupied their house for five months and pillaged all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁴⁰

Analysis and conclusions

³³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx205, pages 9 to 11, 23.

³³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx206; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 412 to 413.

³⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx206, pages 9 to 11, 20.

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

The Chamber notes that the date of the alleged events provided by the applicant is 3 November 2010 and as such falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

On the basis of the application as a whole, The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, when the Banyamulengués invaded [REDACTED] [REDACTED] they came to his compound, and when they started destroying everything the applicant protested; as a result, they beat him in a

³⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx207; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 414 to 415.

savage manner. He further states that he fled to the fields and that they looted his house and his wood storage. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁴²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, because of the events that started on 25 October 2002, the population of the [REDACTED] area of [REDACTED] fled. The applicant claims that he also fled but he decided to come back in order to protect his merchandise. He alleges that nine soldiers came to his shop and wanted to kill him, but instead they ordered him to leave. The applicant states that, in his absence, the Banyamulengués looted and destroyed his shop. As a

³⁴² ICC-01/05-01/08-954-Conf-Exp-Anx207, pages 9 to 11.

³⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx208; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 416 to 417.

result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁴⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the time of the events, he was a merchant and he was buying merchandise from [REDACTED] in order to resell it in his shop, located in the [REDACTED] [REDACTED]. He claims that on 28 October 2002, the Banyamulengués invaded the [REDACTED] area of [REDACTED] and that, despite his efforts, the soldiers broke into the shop. He alleges that they insulted him and wanted to kill him, but instead they forced him to leave. The applicant claims that, upon his return, one week later, he found that the shop had been completely pillaged and destroyed. The applicant values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁴⁶

Analysis and conclusions

³⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx208, pages 9 to 11, 19.

³⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx209; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 418 to 419.

³⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx209, pages 9 to 11, 19.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] [REDACTED] as of 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, Bemba's armed man entered his house, located in [REDACTED] [REDACTED] and beat him and his family forcing them to leave the house. He alleges that they occupied his house for a period of five months and looted 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 considers that the 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] as of 3 November 2002.

³⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx210; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 420 to 421.

³⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx210, pages 9 to 11, 19.

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

The applicant states that in October 2002 Bozizé's rebels took her car and two mobile phones and occupied her house, located in [REDACTED]. She further claims that on 26 October 2002, when the Banyamulengués arrived in [REDACTED] the rebels fled, and the Banyamulengués occupied the police station and came to her house, which they thought to be a shelter for the rebels. The applicant contends that they threatened to kill her and forced her to flee. She alleges that, in her absence, they looted all her belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁵⁰

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] as of 26 October 2002.

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

³⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx211; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 422 to 423.

³⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx211, pages 9 to 11.

³⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx212; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 424 to 425.

The applicant, a merchant, states that on 29 October 2002, the Banyamulengués invaded [REDACTED] and she had to flee to the bush. She alleges that, upon her return, she found that her house, located in [REDACTED], [REDACTED] and her shop, located on the road to [REDACTED] 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 psychological and material harm.³⁵²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, Bemba's MLC soldiers broke into his house, located in the [REDACTED] area of [REDACTED]. He claims that the Banyamulengués accused him of being a rebel and made him lay on the ground. He alleges that they took him to their base in [REDACTED] where he was held hostage for a period of 72 hours without food and water. He alleges that the MLC soldiers wanted to kill him, but they decided not to and on 5 November 2002 they handed him over to the presidential guards, who took

³⁵² ICC-01/05-01/08-954-Conf-Exp-Anx212, pages 9 to 11, 20.

³⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx213; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 426 to 427.

him to the police station, where it was established that he never took part in the conflict. He adds that during this time the soldiers pillaged his house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁵⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, she was at home together with her four children, when the Banyamulengués entered her house, located in the [REDACTED] area of Bangui. She claims that one of the soldiers asked her where her husband was and she replied, with gestures, as she could not speak Lingala, that her husband was dead. The applicant states that they asked her for money, and forced her and her children to lie on the floor, while they looted all her belongings. She claims that they forced her to leave the house and that she, together with her children fled to [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁵⁶

³⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx213, pages 9 to 11.

³⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx214; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 428 to 429.

³⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx214, pages 9 to 11, 19.

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 Bangui on 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, the Banyamulengués came to his compound and broke into his house, located in [REDACTED] and looted everything. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered material harm.³⁵⁸

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 29 October 2002.

³⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx215; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 430 to 431.

³⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx215, pages 9 to 11, 21.

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the time of the events of October 2002 she fled, together with her family, to [REDACTED] [REDACTED] where they hid in a [REDACTED] house, together with the [REDACTED] family. She claims that on 22 November 2002, the children started crying, because they were hungry and they could not stand the heat. She claims that the Banyamulengués heard them and broke into the house. The applicant claims that they took her and the other women outside the house and raped them, one after the other. She states that she does not know how many men raped her because she lost consciousness and that she only came to her senses before the rain started; she also states that because of the rapes she is not able to conceive. The applicant claims that they looted her belongings, including her jewellery. She also states that, before raping them, the Banyamulengués killed a boy in front of them, which traumatised her eight and ten year old children. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁰

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 22 November 2002.

³⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx216; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 432 to 433.

³⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx216, pages 9 to 11.

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

The applicant states that on 25 October 2002, he and his family fled and, in his absence, the armed soldiers of Bemba broke into his house, located in the [REDACTED] [REDACTED] area of Bangui and looted and destroyed all his belongings, including his livestock. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁶²

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant 25 October 2002 falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects notably that the pillage took place after he fled and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

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

³⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx217; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 434 to 435.

³⁶² ICC-01/05-01/08-954-Conf-Exp-Anx217, pages 9 to 11, 19.

Jean-Pierre Bemba in the [REDACTED] [REDACTED] area of Bangui as of 25 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, he and his family fled and Bemba's men broke into his house, located in the [REDACTED] [REDACTED] area of Bangui and looted all his belongings, which he lists. He adds that after the events he developed health problems. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁴

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] [REDACTED] area of Bangui on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

³⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx218; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 436 to 437.

³⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx218, pages 9 to 11, 19.

³⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx219; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 438 to 439.

The applicant states that one day, in the period between 28 October and 8 November 2002, the Banyamulengués entered her house, located in the [REDACTED] area of [REDACTED]. She claims that she was at home together with her brothers and that, when the men asked her where the “head of the house” was, she replied, using gestures because she did not speak Lingala, that he was on a trip. She further claims that they insulted her and forced her and her brothers to leave the house; she states that they fled to [REDACTED] to their grandfather’s house. The applicant claims that they pillaged all her belongings, including her money, and that they destroyed the warehouse. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁶

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 Bangui, on an unspecified date between 28 October and 8 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 21 November 2002 she fled, together with her family to [REDACTED] where they took refuge in the house of [REDACTED]. She claims

³⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx219, pages 9 to 11, 19 to 20.

³⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx220; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 440 to 441.

that, the next day, the children started crying, because they were hungry and they could not stand the heat and that, as a result, the Banyamulengués discovered their hiding place. She states that they broke into the house and started getting the women naked in order to rape them. The applicant claims that one of the women offered the soldiers all her money in order to escape the rape, and that the Banyamulengués agreed and pillaged all their belongings. She further states that more Banyamulengués came and they brought along a 25 year old boy, who they killed in order to intimidate them and forced them to obey their orders. The applicant states that one of her daughters, who hasn't had her period in three months, started bleeding and they took her and all the other women outside the house and raped them one after the other for a long time, penetrating them also with their hands and performing repulsive acts; she states that they stopped only when the rain started. The applicant claims that they looted all her belongings, including her money and jewellery and that upon her return to [REDACTED] she found that her house had been pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁶⁸

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] between 21 and 23 November 2002.

³⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx220, pages 9 to 11, 20 to 21.

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

The applicant states that on 21 November 2002, he fled to [REDACTED] together with his family. He claims that they took refuge in the house of a certain man and that the next day, on 22 November 2002, the Banyamulengués broke into their hiding place, pillaged everything and raped all the women, including his mother and his sisters, in front of him. He further states that one female soldier beat him savagely until all his body was covered in bruises. He further adds that, despite all his wounds, he was forced to help his older brother take a wounded man to the hospital, ten kilometres away; he states that the man died on the way to the hospital and that he and his brother fled to the bush. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 22 November 2002.

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

³⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx221; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 442 to 443.

³⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx221, pages 9 to 11, 19.

³⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx222; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 444 to 445.

The applicant refers to the events that occurred on 21, 22 and 23 November 2002 and states that she and her family left their house, located in the [REDACTED] area of Bangui, [REDACTED] *arrondissement* and fled to [REDACTED]. She claims that they took refuge in the house of [REDACTED] and that because of the lack of food and because it was very hot, the children started crying and, as a consequence, the Banyamulengués discovered their hiding place. The applicant states that they broke into the house and started pillaging their belongings and undressing the women in order to rape them. She further contends that more Banyamulengués came and they brought along a boy, who they killed in front of them. The applicant states that she was traumatized by the murder and she had a miscarriage. She claims that they took her and all the other women outside the house; they forced them to lay on the ground, facing the sun, and raped them, one after another, performing repulsive acts. She states that because she was bleeding abundantly the soldiers found her “repulsive” and instead of raping her, they beat her. She adds that they looted all her belongings, including her money, school supplies and clothes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷²

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] between 21 and 23 November 2002.

³⁷² ICC-01/05-01/08-954-Conf-Exp-Anx222, pages 9 to 11, 19.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 22 November 2002 the applicant fled to [REDACTED] and took refuge in the house of a certain man. It is further stated that the Banyamulengués heard the children crying and they entered the house where the applicant was hiding together with some other people. It is alleged that the soldiers took the applicant and the other women outside the house and raped them, one after the other, for a long time, and that they also looted the applicant's belongings. The person acting on behalf further states that, upon her return, the applicant found that her house had been pillaged. He also claims that, after the rape, the applicant was infected with HIV and her husband abandoned her. The person acting on behalf of the applicant attached her death certificate, in which it is stated that the applicant died on 15 January 2010. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.³⁷⁴

Analysis and conclusions

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

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

³⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx223; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 446 to 447.

³⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx223, pages 9 to 11.

against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 22 and 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the end of November 2002, he was hiding with more than fifteen people in a house located in [REDACTED]. He claims that the Banyamulengués broke into the house, took all the women, including her mother and sisters, in front of the house and started raping them. He further states that the female soldiers savagely beat him and his younger brother and that one of them urinated all over him and forced him to see her genital parts by heating him with her weapon. The applicant claims that they looted everything, including his school supplies. He further states that they forced him and his brother to take a wounded man to the hospital; he states that the man died on the way to the hospital and that he and his brother fled. As a result of the alleged events, the applicant left school and claims to have suffered physical, psychological and material harm.³⁷⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 22 November 2002.

³⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx224; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 448 to 449.

³⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx224, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, a group of Banyamulengués entered the house where she was hiding, together with some other people, located in [REDACTED] [REDACTED]. She alleges that the soldiers pillaged their belongings, including her money and jewellery; and later, they took all the women outside the house and raped them, one after the other, for a long time. The applicant further states that she does not know how many times she was raped because she lost consciousness after being raped the fourth time, and she only came to her senses when the rain started. The applicant also claims that, in her absence, the thieves pillaged her house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁷⁸

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 22 November 2002.

Applicant [REDACTED]

³⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx225; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 450 to 451.

³⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx225, pages 9 to 11.

³⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx226; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 452 to 453.

Claim to victim status

The applicant claims that between 21 and 23 November 2002, she fled to the village of [REDACTED] together with her family. She asserts that they hid in the house of [REDACTED], close to the school, because the Banyamulengués had already invaded the place. However, she claims that the Banyamulengués found them, broke the door, started shooting, pillaged their goods and raped the women. The applicant, who was 15 years old at that time, contends that she was raped until she lost consciousness. She submits that due to this experience, she still suffers from anxiety. She asserts that she also lost her belongings including her school material, her clothes and her shoes. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.³⁸⁰

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 21 and 23 November 2002.

Applicant [REDACTED]

Claim to victim status

³⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx226, pages 9 to 11, 19.

³⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx227; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 454 to 455.

The application is introduced by the applicant's husband, who is acting on behalf of the applicant, with the justification that the applicant is illiterate.

It is submitted that on 22 November 2002, the day after the killing of a boy by a shell, the applicant fled with her family to [REDACTED] [REDACTED]. It is stated that, due to the presence of the Banyamulengués, they hid in the house of [REDACTED]. However, the Banyamulengués reportedly found them, broke the door and took them in hostage. The applicant is said to have offered them money so that they would not rape the women. The Banyamulengués took the money, but called other Banyamulengués who came with a boy of the village. It is stated that they shot the boy in front of the women and ordered the women to come out and to lie down naked in the sun. The women, including the applicant, were reportedly raped by several soldiers in turns and the applicant fainted during the rape by the 4th man. It is further submitted that the Banyamulengués took the applicant's *fonds de commerce* and that she also lost other belongings. It is indicated that the alleged events occurred on 22 and 23 November 2003. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm.³⁸²

Analysis and conclusions

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

On the basis of 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 on 22 and 23 November 2002.

³⁸² ICC-01/05-01/08-954-Conf-Exp-Anx227, pages 9 to 11, 19.

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

The applicant claims that on 2 November 2002, the Banyamulengués came to his house in [REDACTED] [REDACTED] and shot with their arms in order to drive him and his family out of their house. He states that they then occupied the house during 5 months. During this time, they allegedly pillaged the entire house and additionally destroyed doors and windows. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁸⁴

Analysis and conclusions

The Chamber notes 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. Given this discrepancy and in the absence of any explanation thereto, the Chamber considers that the identity of the applicant is not sufficiently established and the application for participation in the proceedings is rejected.

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

The applicant claims that on 16 November 2002, Jean-Pierre Bemba's rebels came to his place in [REDACTED] [REDACTED] and pillaged 125 goats. He values the loss.

³⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx228; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 456 to 457.

³⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx228, pages 9 to 11, 19.

³⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx229; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 458 to 459.

As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁸⁶

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85 (a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his goats by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 16 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that between 31 October and 21 November 2002, due to the threats by the Banyamulengués, she fled from her home in [REDACTED] [REDACTED] and did not come back for several weeks. She alleges that during her absence, Bemba's rebels pillaged all her belongings. She appends a list with the lost items which she values. As a result of the alleged events, she claims to have suffered psychological and material harm.³⁸⁸

Analysis and conclusions

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

³⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx229, pages 9 to 11, 18.

³⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx230; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 460 to 461.

³⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx230, pages 9 to 11, 18.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba ██████████ ██████████ between 31 October and 21 November 2002.

Applicant ██████████

Claim to victim status

The applicant claims that on 9 November 2002, Jean-Pierre Bemba's rebel forces came to his house in ██████████ ██████████ and asked for money. As the applicant did not have any money, they broke the door of his store and pillaged all his merchandise. He submits a list with the looted items which he values. As a result of the alleged events, he claims to have suffered psychological and material harm.³⁹⁰

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 9 November 2002.

Applicant ██████████

³⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx231; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 462 to 463.

³⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx231, pages 9 to 11, 18.

³⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx232; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 464 to 465.

Claim to victim status

The applicant alleges that on 31 October 2002, the Banyamulengués entered his house in [REDACTED] and stole a number of his belongings, which he lists and values in a document appended to the application. As a result of the alleged events, he claims to have suffered material harm.³⁹²

Analysis and conclusions

The Chamber notes that section B (information regarding a person acting on an applicant's behalf) is filled in. However, as the name of this person also appears in Section J as a witness to the filling in of the application form, the Chamber concludes that section B has been filled in as a result of inadvertent error and that the applicant is acting on his own behalf. The documents provided thus 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 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 8 November 2002, Jean-Pierre Bemba's rebel forces expelled her from her house in [REDACTED] [REDACTED]. She states that when she came back to her house on 3 December 2002, she noticed that all her belongings had been pillaged and appends a list with the looted items which

³⁹² ICC-01/05-01/08-954-Conf-Exp-Anx232, pages 9 to 11, 20.

³⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx233; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 466 to 467.

she values. As a result of the alleged events, she claims to have suffered psychological and material harm.³⁹⁴

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85 (a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 8 November and 3 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, in [REDACTED] [REDACTED] Jean-Pierre Bemba's men drove him out of his house, together with his family. He alleges that they occupied the house for 5 months, pillaging the entire house and destroying his belongings. He appends a list with the lost items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.³⁹⁶

Analysis and conclusions

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

³⁹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx233, pages 9 to 11, 18.

³⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx234; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 468 to 469.

³⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx234, pages 9 to 11, 21.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, Jean-Pierre Bemba's rebels, the Banyamulengués, entered her house in [REDACTED] [REDACTED] shooting with their Kalashnikovs and thus driving her out of the house, together with her family. The applicant claims that they stayed for five months and pillaged all their belongings including their merchandise. She appends a list with the looted items which she values. As a result of the alleged events, she claims to have suffered psychological and material harm.³⁹⁸

Analysis and conclusions

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

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

³⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx235; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 470 to 471.

³⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx235, pages 9 to 11, 19.

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

The applicant claims that on 3 November 2002, Jean-Pierre Bemba's men came to his place in [REDACTED] [REDACTED] [REDACTED] and drove him out of his house, together with his family. He states that Bemba's men then occupied the house for five months and pillaged all their belongings, which he lists and values. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁰⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

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

The applicant claims that on 2 November 2002, the Banyamulengués came to his place in [REDACTED] [REDACTED] and drove him out of his house, together with his family. They then occupied the house for five months, pillaged all their

³⁹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx236; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 472 to 473.

⁴⁰⁰ ICC-01/05-01/08-954-Conf-Exp-Anx236, pages 9 to 11, 18.

⁴⁰¹ ICC-01/05-01/08-954-Conf-Exp-Anx237; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 474 to 475.

belongings and destroyed doors and windows. He appends a list with the looted items, which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 2 November 2002, the armed men of Jean-Pierre Bemba came to his place of residence in [REDACTED] [REDACTED]. 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 5 months and pillaged it as well as the applicant's merchandise. He appends a list with the looted items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰⁴

Analysis and conclusions

⁴⁰² ICC-01/05-01/08-954-Conf-Exp-Anx237, pages 9 to 11, 18.

⁴⁰³ ICC-01/05-01/08-954-Conf-Exp-Anx238; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 476 to 477.

⁴⁰⁴ ICC-01/05-01/08-954-Conf-Exp-Anx238, pages 9 to 11, 18.

The Chamber notes 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 the other. Given this discrepancy and in the absence of any explanation thereto, the Chamber considers that the identity of the applicant is not sufficiently established and the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, the Banyamulengués came to his place in [REDACTED] [REDACTED] forcing him to flee to the bush, together with his family. They allegedly occupied the place for one month and pillaged the applicant's belongings, which he lists and values in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁰⁶

Analysis and conclusions

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

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

⁴⁰⁵ ICC-01/05-01/08-954-Conf-Exp-Anx239; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 450 to 451.

⁴⁰⁶ ICC-01/05-01/08-954-Conf-Exp-Anx239, pages 9 to 11, 18.

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

The applicant alleges that on 1 November 2002, the armed men of Jean-Pierre Bemba entered his place of residence located in [REDACTED] [REDACTED]. He asserts that they were shooting with their Kalashnikovs in order to drive him and his family out of their house. He further claims that they raped his younger daughter, infecting her with AIDS, and looted his property. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁰⁸

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 daughter and the kinship between them, only pillage will be considered for the purpose of the present assessment. On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 1 November 2002.

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

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

⁴⁰⁷ ICC-01/05-01/08-954-Conf-Exp-Anx240; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 452 to 453.

⁴⁰⁸ ICC-01/05-01/08-954-Conf-Exp-Anx240, pages 9 to 11, 20.

⁴⁰⁹ ICC-01/05-01/08-954-Conf-Exp-Anx241; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 454 to 455.

It is submitted that on 29 October 2003, close to his house in the village of ██████ the applicant was killed by the Banyamulengués. The death certificate appended to the application attests that the death occurred on 29 October 2003. It is further claimed that the house, goods and animals were destroyed by a grenade and that the applicant was buried next to the house. It is further reported that at the time of the events, ██████ village turned into a battle field between the Banyamulengués and the rebels. It is also reported that the village turned into a camp of the Banyamulengués and that their house became the dormitories. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on the applicant's behalf claims to have suffered material harm.⁴¹⁰

Analysis and conclusions

The Chamber notes that the documents provided demonstrate the identity of both the applicant and the person acting on his behalf. Although there is no official document establishing their kinship, the Chamber considers that the kinship can be inferred from the letter to the *chef de village*, in which the person acting on behalf claims the issuance of birth certificates for her four children which have the same surname as the deceased.

However, the Chamber observes that it is stated, and confirmed in the death certificate, that the events occurred on 29 October 2003 and, as such, in a period falling outside the temporal scope of the case. Accordingly, the application for participation in the proceedings is rejected.

Applicant ██████

Claim to victim status

⁴¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx241, pages 9 to 11, 20.

⁴¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx242; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 456 to 457.

The applicant is deceased and the application is introduced on his behalf by the applicant's father.

It is submitted that on 11 November 2002, on his way to the city, the applicant was intercepted and severely tortured. The applicant allegedly died on the same evening as a consequence of internal bleeding caused by the torture. It is claimed that as result of these events, the applicant suffered physical harm.

Furthermore, the person acting on behalf of the applicant claims to have suffered psychological and material harm.⁴¹²

Analysis and conclusions

The Chamber notes that the person acting on behalf of the applicant has provided his national identity card and a death certificate for his father. In the absence of any document explicitly demonstrating the kinship between them, the Chamber is satisfied that the kinship can be inferred from the common surname of the applicant and the person acting on behalf, as appearing on the provided documents. However, whereas the identity card establishes the identity of the person acting on behalf, the Chamber notes a discrepancy between the birth dates of the applicant as appearing on the death certificate and as indicated in the application from. The Chamber further notes that according to the death certificate, the death occurred on 4 April 2002 and not on 11 November 2002 as indicated by the person acting on behalf.

The Chamber is of the views that such inconsistencies undermine the credibility of the person acting on behalf of the applicant. Accordingly, the application for participation in the proceedings is refused.

Applicant [REDACTED]

⁴¹² ICC-01/05-01/08-954-Conf-Exp-Anx242, pages 9 to 11, 20.

⁴¹³ ICC-01/05-01/08-954-Conf-Exp-Anx243; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 458 to 459.

Claim to victim status

The applicant claims that on 3 November 2002, the Banyamulengués came to his house in [REDACTED]. 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. He appends a document in which he lists and values the lost items. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴¹⁴

Analysis and conclusions

The Chamber notes 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. Given this discrepancy and in the absence of any explanation thereto, the Chamber considers that the identity of the applicant is not sufficiently established and the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29-30 October 2002, while she was selling goods on the market in [REDACTED] the Banyamulengués pillaged and destroyed her store, her house and her livestock in [REDACTED] [REDACTED]. She further asserts that when her son tried to recover the stolen items, he was severely beaten by the Banyamulengués. She lists and values the merchandise pillaged from her store. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴¹⁶

⁴¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx243, pages 9 to 11, 18.

⁴¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx244; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 460 to 461.

⁴¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx244, pages 9 to 11, 18.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 store, house and livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 29-30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, MLC forces of Jean-Pierre Bemba invaded the [REDACTED] area, which is located in the [REDACTED] *arrondissement* of Bangui. The applicant states that they asked him for money, and when he refused, they beat him with the barrels of their rifles, pillaged the money which was in the safe of his shop and took him as hostage to a place he did not know. He contends that he was beaten and that they took his cell phone, his jewelry and diamonds. He adds that on the same day, his woodworking company was pillaged, destroyed and burned. He appends a document where he lists and values the lost items. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴¹⁸

Analysis and conclusions

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

⁴¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx245; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 490 to 491.

⁴¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx245, pages 9 to 11, 19 to 22.

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], Bangui, on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 20 November 2002, at 20.00, the Banyamulengués came to his house in [REDACTED] in the [REDACTED] *arrondissement* of Bangui. He states that they pointed their guns at him and raped his wife in turn, in front of her children. As a result of the rape, his wife cannot have children anymore. He asserts that they also beat him with the butt of their rifles. He further alleges that his belongings were pillaged and destroyed and he provides receipts for some of the lost goods. As a result of the alleged events, he claims to have suffered physical, psychological and material harm.⁴²⁰

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 wife and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings

⁴¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx246; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 492 to 493.

⁴²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx246, pages 9 to 11.

by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 20 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 13 March 2003, Mr Bemba's troops came to his house in [REDACTED]. He states that he tried to flee to the bush but did not succeed because the soldiers held him at gunpoint. He contends that they further beat him with the barrels of their rifles and raped his wife and his two daughters in front of his eyes. Subsequently, they allegedly pillaged his house including his boat which enabled them to transport the looted goods to the DRC. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴²²

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 wife and daughters and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

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

⁴²¹ ICC-01/05-01/08-954-Conf-Exp-Anx247; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 494 to 495.

⁴²² ICC-01/05-01/08-954-Conf-Exp-Anx247, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 10 November 2002, the Banyamulengués burst into her place in [REDACTED] beat her and her family and made them flee from their house. She alleges that during their absence, the Banyamulengués pillaged all her belongings and money. She further contends that her husband died due to the sorrows caused through the pillage of his belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁴²⁴

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant alleges that in November 2002, the soldiers of Jean-Pierre Bemba drove him out of his store and his house in [REDACTED]. He contends that they used the place to set up their base and pillaged all his belongings. Due to

⁴²³ ICC-01/05-01/08-954-Conf-Exp-Anx248; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 496 to 497.

⁴²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx248, pages 9 to 11.

⁴²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx249; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 498 to 499.

the pillage, his house was sold at auction by his bank because he was unable to reimburse his loan. He appends to the application the certificates attesting these transactions. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴²⁶

Analysis and conclusions

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

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

Applicant ██████

Claim to victim status

The applicant claims that on 2 November 2002, upon the arrival of the Banyamulengués in ██████ ██████ she fled from the area, together with her family. She contends that the Banyamulengués took all her belongings, which she lists and values in a document appended to the application. She further states that her son was beaten by the Banyamulengués. As a result of the alleged events, she claims to have suffered physical, psychological and material harm.⁴²⁸

Analysis and conclusions

⁴²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx249, pages 9 to 11.

⁴²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx254; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 508 to 509.

⁴²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx254, pages 9 to 11

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 11 November 2002, when the Banyamulengués invaded [REDACTED] they burst into her house, abducted her son, and took him to the [REDACTED] [REDACTED] [REDACTED]. She states that they beat him so severely that he died one week later. She appends a death certificate attesting that the death occurred on [REDACTED] November 2002. As a result of the alleged events, the applicant claims to have suffered psychological harm.⁴³⁰

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of her son 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

⁴²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx255; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 510 to 511.

⁴³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx255, pages 9 to 11.

the accused, namely the murder of her son by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 4 November 2002, Mr Bemba's armed men entered her house in [REDACTED] tortured her, beat her children and pillaged their belongings. She submits a list with the looted belongings which she values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴³²

Analysis and conclusions

The Chamber notes that the date of birth appearing on the application form does not correspond to the date of birth as appearing on the birth certificate but to the date the birth was declared. However, the Chamber is of the view that this discrepancy might be the result of inadvertent error committed by the person assisting the applicant with filling in the form and is thus satisfied that the identity of the applicant is sufficiently established.

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

⁴³¹ ICC-01/05-01/08-954-Conf-Exp-Anx256; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 512 to 513.

⁴³² ICC-01/05-01/08-954-Conf-Exp-Anx256, pages 9 to 11, 19.

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

The applicant claims that on 29 October 2002, the Banyamulengués of Jean-Pierre Bemba came to his family house, which is located in [REDACTED] [REDACTED] [REDACTED]

[REDACTED] The applicant contends that they severely beat him, asked him for money, raped two girls he does not know and pillaged the house. He submits a list with the looted items which he values. In addition, he contends that as a result of the beatings he still suffers thorax aches which impair his work capacity. As a result of the alleged events, he claims to have suffered physical and material harm.⁴³⁴

Analysis and conclusions

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

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

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

The applicant claims that on 3 November 2002, while he was at his home in [REDACTED] together with his family, Mr Bemba's armed men, who were speaking Lingala, burst into his house. He states that they tried to rape

⁴³³ ICC-01/05-01/08-954-Conf-Exp-Anx257; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 514 to 515.

⁴³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx257, pages 9 to 11, 21

⁴³⁵ ICC-01/05-01/08-954-Conf-Exp-Anx258; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 516 to 517.

his wife, who managed to escape, and starting beating him. He asserts that he also fled to the bush. He contends that during his absence, they pillaged and destroyed his belongings which he lists and values in a document appended to the application. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴³⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that as of 28 October 2002, the Banyamulengués invaded [REDACTED]. He contends that he fled to the bush and alleges that, during his absence, they pillaged his house in [REDACTED] [REDACTED] as well as his pig farm in [REDACTED] [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, he claims to have suffered psychological and material harm.⁴³⁸

⁴³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx258, pages 9 to 11,18

⁴³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx259; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 518 to 519.

⁴³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx259, pages 9 to 11,19 to 20.

Analysis and conclusions

The Chamber notes 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 considers that the identity of the applicant is not established. Accordingly, the application to participate in the proceedings is refused.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, Mr Bemba's soldiers came to his house in [REDACTED] fired their guns and thus made him flee to the bush, together with his family. He contends that Mr Bemba's men then occupied his house for 5 months and pillaged his belongings, his furniture as well as his merchandise. He submits a list with the looted items which he values. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁴⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

⁴³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx260; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 520 to 521.

⁴⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx260, pages 9 to 11,18.

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

The applicant claims that on 2 November 2002, upon the arrival of Mr Bemba's armed men at his house, which is located in [REDACTED], he fled to the fields, together with his family. He contends that the Banyamulengués occupied his house for 5 months and pillaged his belongings. He provides a list with the looted items which he values. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁴²

Analysis and conclusions

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

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

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

The applicant claims that on 3 November 2003, Jean-Pierre Bemba's rebels came to her house which is located in [REDACTED] [REDACTED]. She contends that they pillaged everything inside the house and also looted her livestock. She appends a document in which she lists and values the items looted between

⁴⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx261; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 522 to 523.

⁴⁴² ICC-01/05-01/08-954-Conf-Exp-Anx261, pages 9 to 11,20

⁴⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx262; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 524 to 525.

October 2002 and March 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴⁴

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (3 November 2003) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the general circumstances described in the application and given that the list appended to the application explicitly refers to the items pillaged between October 2002 and March 2003, the Chamber is of the view that such inconsistency might be due to inadvertent error inasmuch as the applicant intended to refer to November 2002. Accordingly, the Chamber finds that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a), on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house and livestock by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, in [REDACTED] Jean-Pierre Bemba's men destroyed the door of his shop and pillaged everything they could find inside. He values the loss in a document appended

⁴⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx262, pages 9 to 11, 18.

⁴⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx263; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 526 to 527.

to the application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴⁶

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 shop by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, Jean-Pierre Bemba's men burst into his home in [REDACTED] beat him with their feet and drove him and his family out of the house. He states that they then occupied the house for 5 months and pillaged all the goods therein, which he lists and values in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁴⁸

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

⁴⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx263, pages 9 to 11, 18.

⁴⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx264; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 528 to 529.

⁴⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx264, pages 9 to 11, 18.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, Jean-Pierre Bemba's armed men came to his house which is located in [REDACTED] [REDACTED] and drove him and his family out of their home. He states that they then occupied the house during 5 months and pillaged all his goods as well as doors and windows. He further states that they also pillaged his shop. He submits a list with the looted item, which he values. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁵⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

⁴⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx265; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 530 to 531.

⁴⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx265, pages 9 to 11, 18.

⁴⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx266; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 532 to 533.

Claim to victim status

The applicant claims that on 12 November 2002 the Banyamulengués arrived at his area in [REDACTED] and established their base at his house. The applicant states that he was tied up with a rope and tortured. His 8 year old brother was allegedly forced to eat a raw fish. He further contends that the Banyamulengués pillaged his money and the items which were in his house. As a result of the alleged events, he claims to have suffered physical and material harm.⁴⁵²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, in [REDACTED] [REDACTED] at 10.00, Jean-Pierre Bemba's armed men came to his shop and held him at gunpoint. He contends that they pillaged and destroyed his store. He appends a list in which he values the looted items. The applicant states that they also beat him

⁴⁵² ICC-01/05-01/08-954-Conf-Exp-Anx266, pages 9 to 11.

⁴⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx267; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 534 to 535.

with the barrels of their rifles. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁵⁴

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his store by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

In a document appended to the application, the applicant reports that on 25 October 2002, at 14:56, Bozizé's soldiers arrived. He further states that the Banyamulengués from the DRC, who were speaking Lingala, occupied his house, which is located in [REDACTED] [REDACTED] until 15 March 2003. He contends that during their stay, they pillaged his belongings and he submits a list with the lost items, which he values. He also states that he has serious psychological problems as a consequence of these events. He contends that the events occurred on 25, 26 and 27 October 2002, in November 2002, January 2003 and on 15 March 2003 in [REDACTED] [REDACTED] [REDACTED] and [REDACTED]. Among the persons he deems responsible for the events, he lists Patassé, Debi, Bemba,

⁴⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx267, pages 9 to 11, 17.

⁴⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx268; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 536 to 537.

Bozizé and Miskine. As a result of the alleged events, he claims to have suffered material and psychological harm.⁴⁵⁶

Analysis and conclusions

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

The Chamber notes that the applicant, in his account of the events, mentions a series of dates, locations and persons deemed responsible. However, despite this apparent confusion, the applicant clearly states that his house was occupied and pillaged between October 2002 and 15 March 2003 by the Banyamulengués, who were speaking Lingala. The Chamber is thus satisfied that the alleged events fall under the remit of the crimes confirmed against the accused. Accordingly, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified between October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, at 8.00, Jean-Pierre Bemba's armed men came to her house in the [REDACTED] area of [REDACTED] [REDACTED]. She asserts that they tried to kill her husband but he managed to escape. She states that later, about 10 men came to her house and drove her out, together with her 5 months old baby. She contends that they then occupied and pillaged her

⁴⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx268, pages 9 to 11, 18.

⁴⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx269; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 538 to 539.

house, destroyed doors and windows and even stole her husband's car. She appends a list with the looted items which she values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁵⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002, Jean-Pierre Bemba's rebels came to his house which is located in [REDACTED] [REDACTED] on the road to [REDACTED]. He contends that they pillaged all his belongings which he lists and values in an annex. He further claims that Bemba's rebels tried to kill him but someone intervened and rescued him. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶⁰

Analysis and conclusions

⁴⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx269, pages 9 to 11, 18 to 21.

⁴⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx270; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 540 to 541.

⁴⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx270, pages 9 to 11, 18.

The Chamber considers that the 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 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, at 09:35, Jean-Pierre Bemba's men burst into her house in [REDACTED] in order to pillage her belongings. The applicant states that they beat her brother and subsequently asked her to give them money. When she answered that she did not have any money, they got angry and drove her out of the house. She contends that they stayed in the house for two weeks and pillaged all her belongings including the goods related to her business. She submits a list with the looted items which she values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶²

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a

⁴⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx271; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 542 to 543.

⁴⁶² ICC-01/05-01/08-954-Conf-Exp-Anx271, pages 9 to 11, 18.

result of crimes confirmed against the accused, namely the pillage of her house in [REDACTED] by the Banyamulengués of Jean-Pierre Bemba on an unspecified date during the two weeks as of 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, Mr Bemba's men came to his house in [REDACTED] and drove him out by shooting with their weapons. He claims that they pillaged his belongings and he submits a list with the lost items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁶⁴

Analysis and conclusions

The Chamber notes that the copy of the applicant's identity card neither contains a photograph or thumbprint, nor is it signed by the authorities. The Chamber further notes a slight discrepancy in the spelling of the applicant's first name as appearing on the identity card and as indicated in the application form. As a consequence, the Chamber is of the view that the identity of the applicant is not sufficiently established and thus rejects his application for participation in the proceedings.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, at around 08.00, Jean-Pierre Bemba's men came to her house in [REDACTED] [REDACTED] and drove her and her family

⁴⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx272; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 544 to 545.

⁴⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx272, pages 9 to 11, 19.

⁴⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx273; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 546 to 547.

out of their house. She contends that they occupied the house for 5 months and pillaged all her belongings. She submits a list with the looted goods, which she values. As a result of the alleged events, she claims to have suffered psychological and material harm.⁴⁶⁶

Analysis and conclusions

The Chamber notes that the date of birth appearing on the application form does not correspond to the date of birth as appearing on the birth certificate but to the date the birth was declared. However, the Chamber is of the view that this inconsistency might be the result of inadvertent error committed by the person assisting the applicant with filling in the form and thus considers that the identity of the applicant is established.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 7 November 2002, at 06.00, the Banyamulengués (Jean-Pierre Bemba's men) invaded and pillaged his shop which is located in [REDACTED]. He submits a list in which he values the loss. As a result of the alleged events, he claims to have suffered psychological and material harm.⁴⁶⁸

⁴⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx273, pages 9 to 11, 18.

⁴⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx274; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 548 to 549.

⁴⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx274, pages 9 to 11, 18

Analysis and conclusions

The Chamber notes a discrepancy between the date of birth as indicated in the application form and as appearing on the identity card. However, given that the applicant appends a declaration clarifying that his real date of birth is the date appearing on his identity card, the Chamber is satisfied that the identity of the applicant is sufficiently established.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 5 November 2002, Jean-Pierre Bemba's armed men, the Banyamulengués, came to her house in [REDACTED] and forced her and her family to flee to the bush. She contends that they occupied the house during 5 months and pillaged all her belongings as well as the doors and windows. She provides a list with the looted items which she values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁰

Analysis and conclusions

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

⁴⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx275; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 550 to 551.

⁴⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx275, pages 9 to 11, 18

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002, the rebels of Jean-Pierre Bemba burst into her house, which is located in [REDACTED]. The applicant states that they asked her to give them her chickens. As she refused, she was slapped on her face and the men took her poultry and pillaged the entire house. The applicant states that when she started screaming, they told her to leave her place by threatening her with their weapons. She lists and values the loss in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷²

Analysis and conclusions

The Chamber notes that the date of birth appearing on the application form does not correspond to the date of birth as appearing on the birth certificate but to the date the birth was declared. However, the Chamber is of the view that this discrepancy might be the result of inadvertent error committed by the person assisting the applicant with filling in the form and is thus satisfied that the identity of the applicant is sufficiently established.

⁴⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx276; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 552 to 553.

⁴⁷² ICC-01/05-01/08-954-Conf-Exp-Anx276, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002, the rebels of Jean-Pierre Bemba, on their way back from a battle with the rebels of Bozizé, entered his place in [REDACTED] and questioned him about Bozizé's rebels who had fled. When the applicant replied that he could not answer these questions, they required him to give them money by threatening to burn him. The applicant asserts that they then pillaged his house before setting it on fire. He alleges that they also burned his shop. He appends a list 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.⁴⁷⁴

Analysis and conclusions

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

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

⁴⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx277; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 554 to 555.

⁴⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx277, pages 9 to 11, 18.

against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, the armed men of Jean-Pierre Bemba came to his house which is located in [REDACTED] [REDACTED]. The applicant contends that they were shooting at the walls of the house so that he fled to the fields, together with his family. He asserts that they occupied the house for 5 months and pillaged all his belongings including his merchandise. He provides a list with the looted items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his personal belongings and his merchandise by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

⁴⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx278; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 556 to 557.

⁴⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx278, pages 9 to 11, 18.

⁴⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx279; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 558 to 559.

Claim to victim status

The applicant claims that on 1 November 2002, the armed men of Jean-Pierre Bemba came to his house which is located in [REDACTED] and drove him and his family out of the house. He contends that they then occupied the house and pillaged all his belongings. He further contends that on the same day, they pillaged his freezing room at the [REDACTED] [REDACTED]. He specifies that they took the loot, *inter alia*, to the DRC and he submits a list with the looted items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁷⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 3 November 2002, Jean-Pierre Bemba's men came to his place which is located in [REDACTED] and drove him and his family out by firing bullets against the walls of the house. The applicant

⁴⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx279, pages 9 to 11, 18.

⁴⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx280; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 560 to 561.

asserts that they occupied the house for five months and pillaged all his belongings. 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.⁴⁸⁰

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 7 November 2002, Mr Bemba's men came to his house in [REDACTED] and drove him out by shooting with their guns. He contends that they occupied his house for 5 months and pillaged all his belongings which were inside the house. He further contends that they also pillaged his shop with all his merchandise. He provides a list with the looted items which he values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁸²

Analysis and conclusions

⁴⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx280, pages 9 to 11, 18.

⁴⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx281; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 562 to 563.

⁴⁸² ICC-01/05-01/08-954-Conf-Exp-Anx281, pages 9 to 11, 18.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, the Banyamulengués came to his house in [REDACTED] and drove him and his family out by firing bullets against the walls. He contends that they occupied the place for 5 months and pillaged the entire house. He asserts that they also pillaged his ironmongery which was his sole source of income. He submits a list with the looted goods which he values. As a result of the alleged events, he claims to have suffered psychological and material.⁴⁸⁴

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house and

⁴⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx282; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 564 to 565.

⁴⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx282, pages 9 to 11, 18.

his ironmongery by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, in [REDACTED] her salon was pillaged and the day after her house was also pillaged. The applicant states that Ange-Felix Patassé, François Bozizé and Jean-Pierre Bemba are responsible for the pillage. She provides a document in which she lists and values the looted goods. She further asserts that, because of the Banyamulengués, she lost almost everything she had. As a result of the alleged events, she claims to have suffered psychological and material harm.⁴⁸⁶

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her salon and her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 1 and 2 November 2002.

Applicant [REDACTED]

⁴⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx283; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 566 to 567.

⁴⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx283, pages 9 to 11, 18 to 19.

⁴⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx284; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 568 to 569.

Claim to victim status

The applicant claims that on 4 November 2002, the Jean-Pierre Bemba's men came to her house which is located in [REDACTED]. She states that they were armed, made her flee to the fields together with her family, and then occupied the house for 5 months. The applicant states that they pillaged and destroyed her house and she submits a list with the lost items which she values. As a result of the alleged events, she claims to have suffered psychological and material harm.⁴⁸⁸

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba [REDACTED] on an unspecified date as of 4 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, the armed men of Jean-Pierre Bemba came to his house which is located in [REDACTED] and drove him out of his place, together with his family. He states that they then occupied his house for 5 months, pillaged all his belongings and used the doors and window frames as firewood. He avers that as a consequence of the events, he

⁴⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx284, pages 9 to 11, 18.

⁴⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx285; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 570 to 571.

is traumatized and has been therefore abandoned by his wife. He appends various medical documents as well as a list in which he values the stolen items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁰

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 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 4 November 2002, the Banyamulengués came to his home, which is located in [REDACTED] [REDACTED] and drove him and his family out of their house. He contends that they then occupied his house for 5 months and pillaged his house and his shop. He appends a document in which he lists and values the looted items. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹²

Analysis and conclusions

⁴⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx285, pages 9 to 11, 27.

⁴⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx286; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 572 to 573.

⁴⁹² ICC-01/05-01/08-954-Conf-Exp-Anx286, pages 9 to 11, 19.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 20 November 2002, Jean-Pierre Bemba's men came to his house, which is located in the [REDACTED] area, in the [REDACTED] *arrondissement* of Bangui. He contends that they forced him to stay on his knees against the wall of his house. Three men watched over him while the others went inside the house where they shot his blind brother to death. He asserts that they then pillaged the house and tortured him with the barrels of their rifles. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁴⁹⁴

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 brother and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

⁴⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx287; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 574 to 575.

⁴⁹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx287, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 20 November 2002, while she was having dinner together with her family, Jean-Pierre Bemba's men came to her house, which is located in the [REDACTED] area, in the [REDACTED] arrondissement of Bangui. She contends that they threw the food on the floor and two of them tortured her husband with the barrels of their rifles. The other men tried to rape her and as she refused, they beat her on her ears and on her eyes, as a result of which her sight has been impaired. She further contends that they pillaged all her belongings which were in the house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁴⁹⁶

Analysis and conclusions

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

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

⁴⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx288; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 576 to 577.

⁴⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx288, pages 9 to 11.

Pierre Bemba in the [REDACTED] area, in the [REDACTED] *arrondissement* of Bangui, on 20 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 14 March 2003 in [REDACTED] in the village of [REDACTED] on her way to the fields in search of pharmaceutical product for her 3 year old daughter, they were intercepted by the Banyamulengués who spoke to her in Lingala. She contends that they threw her daughter into the bush. The girl allegedly hit a tree and died. It is further contended that they undressed the applicant and raped her one after the other for 5 hours. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁴⁹⁸

Analysis and conclusions

The Chamber notes that the date of birth appearing on the application form does not correspond to the date of birth as appearing on the birth certificate but to the date the birth was declared. However, given that the date of birth appearing on the birth certificate corresponds to the date appearing on the applicant's national identity card, the Chamber is of the view that this discrepancy might be the result of inadvertent error committed by the person assisting the applicant with filling in the form and is thus satisfied that the identity of the applicant is sufficiently established.

In the absence of any document demonstrating the identity of his daughter and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

⁴⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx289; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 578 to 579.

⁴⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx289, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 November 2002, in [REDACTED] [REDACTED], on her way back from [REDACTED] where she had been to buy merchandise, she was beaten by the Banyamulengués. She contends that the beatings provoked a miscarriage. She further states that the Banyamulengués looted her personal belongings and her merchandise as well as a sum of money. She appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰⁰

Analysis and conclusions

The Chamber notes a discrepancy between the year of birth as indicated in the application form and as appearing on the applicant's identity card. However, noting that the applicant appends a declaration clarifying that the real date of birth is the date appearing on the identity card and given that the remainder of the information provided is consistent, 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 she is a victim under Rule 85(a) on the

⁴⁹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx290; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 580 to 581.

⁵⁰⁰ ICC-01/05-01/08-954-Conf-Exp-Anx290, pages 9 to 11.

basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her personal belongings, her merchandise and money by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 30 November 2002.

Applicant [REDACTED]

Claim to victim status

The application is introduced by the applicant's wife who is acting on behalf of her husband because the latter is allegedly travelling. The Chamber notes that the husband did not sign the form to give his consent to being represented by his wife. However, given that the harm described was suffered by both spouses, the person acting on behalf of his husband can be regarded as a victim herself and the application will be assessed accordingly.

It is claimed that between October 2002 and 15 March 2003, the Banyamulengués occupied the spouses' house which is located close to the [REDACTED] of [REDACTED] and pillaged their belongings. The looted items are listed and valued in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁰²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the person introducing the application.

On the basis of the application as a whole, the Chamber considers that there is sufficient evidence to establish *prima facie* that this person is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes

⁵⁰¹ ICC-01/05-01/08-954-Conf-Exp-Anx291; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 582 to 583.

⁵⁰² ICC-01/05-01/08-954-Conf-Exp-Anx291, pages 9 to 11, 18.

confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 8 December 2002, in [REDACTED] the Banyamulengués, who had established their base at around 10 meters from her house, invaded her house. She contends that they threatened her and pillaged all her belongings which she had inherited from her deceased husband. She provides a list with the looted items which she values. While she does not explicitly indicate the place of the alleged events, a sketch appended to the application indicates that her house is located in [REDACTED] close to [REDACTED]. As a result of the alleged events, she claims to have suffered psychological and material harm.⁵⁰⁴

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 8 December 2002.

Applicant [REDACTED]

⁵⁰³ ICC-01/05-01/08-954-Conf-Exp-Anx292; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 584 to 585.

⁵⁰⁴ ICC-01/05-01/08-954-Conf-Exp-Anx292, pages 9 to 11, 22 to 23.

⁵⁰⁵ ICC-01/05-01/08-954-Conf-Exp-Anx293; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 588 to 589.

Claim to victim status

The applicant claims that on 12 November, the Banyamulengués, during their stay in ██████ looted her property in ██████. She provides a list certified by the *Chef de Quartier* of ██████ in which she values the items lost during the events of the Banyamulengués between 2002 and 2003. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁰⁶

Analysis and conclusions

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

The Chamber notes that the applicant fails to indicate the time of the year(s) when the alleged events took place. However, in light of the general circumstances described in the claim, and in particular the references to the stay of the Banyamulengués in ██████ as well as to the Banyamulengués' attack from 2002 to 2003, the Chamber considers that it appears *prima facie* that the alleged event occurred in November 2002. The Chamber is thus satisfied that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ ██████ in November 2002.

Applicant ██████

Claim to victim status

⁵⁰⁶ ICC-01/05-01/08-954-Conf-Exp-Anx293, pages 9 to 11, 20 to 21.

⁵⁰⁷ ICC-01/05-01/08-954-Conf-Exp-Anx294; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 590 to 591.

The applicant claims that from 5 to 15 November 2002, the Banyamulengués occupied his house which is located in [REDACTED]. He contends that they looted all his belongings which he lists and values in a document appended to the application. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁰⁸

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] between 5 and 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 31 October 2002, the rebels of Jean-Pierre Bemba invaded [REDACTED]. He contends that they occupied his house until 15 March 2003 and pillaged all his belongings, which he lists and values in an annex. While he does not explicitly indicate the place of the alleged events, a sketch appended to the application indicates that his house is located in [REDACTED] close to [REDACTED]. As a result of the alleged events, he claims to have suffered psychological and material harm.⁵¹⁰

Analysis and conclusions

⁵⁰⁸ ICC-01/05-01/08-954-Conf-Exp-Anx294, pages 9 to 11, 18.

⁵⁰⁹ ICC-01/05-01/08-954-Conf-Exp-Anx295; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 592 to 593.

⁵¹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx295, pages 9 to 11, 18, 21 to 22.

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 31 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant alleges that on 31 October 2002, during the stay of the Banyamulengués in [REDACTED] a group of more than 10 armed Banyamulengués, supervised by their chief, burst into his house which is located in [REDACTED]. He contends that they were shooting with their Kalashnikovs and pillaged all his goods, which he lists and values in an annex. He further specifies that upon the arrival of the rebels in his house, he fled his home, together with his family. As a result of the alleged events, he claims to have suffered psychological and material harm.⁵¹²

Analysis and conclusions

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

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

⁵¹¹ ICC-01/05-01/08-954-Conf-Exp-Anx296; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 594 to 595.

⁵¹² ICC-01/05-01/08-954-Conf-Exp-Anx296, pages 9 to 11, 18 to 20.

of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 31 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 12 and 13 November 2002, the Banyamulengués came to his family's property, which is located in [REDACTED], to pillage the property. He asserts that they came several times to pillage one house after the other. He submits a list with the looted items which he values. As a result of the alleged events, the applicant claims to have suffered material harm.⁵¹⁴

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his property by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 12 and 13 November 2002.

Applicant [REDACTED]

Claim to victim status

⁵¹³ ICC-01/05-01/08-954-Conf-Exp-Anx297; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 596 to 597.

⁵¹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx297, pages 9 to 11, 20 to 21.

⁵¹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx298; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 598 to 599.

The applicant claims that on 15 November 2002, a group of 10 Banyamulengués, who were armed with Kalashnikovs, came to her house which is located in [REDACTED] and pillaged her belongings. She provides a list with the looted items which she values. As a result of the alleged events, the applicant claims to have suffered material harm.⁵¹⁶

Analysis and conclusions

The Chamber notes that the applicant omits to indicate her year of birth in the application form. However, given that the remainder of the information provided in the form is consistent with the data appearing on the birth certificate, the Chamber is satisfied that the identity of the applicant is sufficiently established.

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 31 October 2002, Jean-Pierre Bemba's men invaded [REDACTED] and drove her out of her house, together with her children. She contends that they occupied their house, using it as their base, until 15 March 2003. She further contends that they looted all her belongings and she provides a list in which she values the looted items. As a result of the alleged

⁵¹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx298, pages 9 to 11, 20 to 21.

⁵¹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx299; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 600 to 601.

events, the applicant claims to have suffered psychological and material harm.⁵¹⁸

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 31 October 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002, the Banyamulengués returned from [REDACTED] firing their guns, and the applicant and her family had to abandon their house, located in the [REDACTED] area, and seek refuge in the fields. She further claims that upon their return, the day after, 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. As a result of the alleged events, the applicant claims to have suffered material harm.⁵²⁰

Analysis and conclusions

⁵¹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx299, pages 9 to 11, 19 to 21.

⁵¹⁹ ICC-01/05-01/08-954-Conf-Exp-Anx300; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 600 to 601.

⁵²⁰ ICC-01/05-01/08-954-Conf-Exp-Anx300, pages 9 to 11.

The Chamber notes that the identification document provided, a *procès-verbal* concerning the failure to declare the birth of a child, has no official stamp or signature. A comparison of the information appearing on the document with the information provided in the application form further suggests that the person who filled in this document, inversed the name of the father and the child. Accordingly, the Chamber considers that the identity of the applicant is not sufficiently established and therefore rejects the application for participation in the proceedings.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the MLC troops of Jean-Pierre Bemba Gombo broke the door of his house, located in the [REDACTED] area, and confined him. He further claims that his family left the house and all his belongings were pillaged. He states that they also pillaged his *boutique*. The applicant lists and values his loss. As a result of the alleged events, he claims to have suffered psychological and material harm.⁵²²

Analysis and conclusions

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

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

⁵²¹ ICC-01/05-01/08-954-Conf-Exp-Anx301; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 602 to 603.

⁵²² ICC-01/05-01/08-954-Conf-Exp-Anx301, pages 9 to 11.

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

The applicant states that on 3 November 2002 the Banyamulengués of Jean-Pierre Bemba pillaged his farm, located in the [REDACTED] village, in [REDACTED] and destroyed it, leaving him in an impoverished state. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵²⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002.

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

The applicant states that on 12 November 2002, when he and his brother were returning from [REDACTED] to Bangui, they were stopped by Mr Bemba's men in [REDACTED] village, [REDACTED]. He further claims that he was beaten and all his belongings were pillaged. The applicant lists and values his loss. As a result

⁵²³ ICC-01/05-01/08-954-Conf-Exp-Anx304; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 608 to 609.

⁵²⁴ ICC-01/05-01/08-954-Conf-Exp-Anx304, pages 10 to 12.

⁵²⁵ ICC-01/05-01/08-954-Conf-Exp-Anx305; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 610 to 611.

of the alleged events, the applicant claims to have suffered physical and material harm.⁵²⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 12 November 2002, when he and his older brother were returning from [REDACTED] to Bangui, in [REDACTED] village, [REDACTED] they fell in the hands of the Banyamulengués of Mr Bemba and they were beaten and all their belongings were pillaged. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵²⁸

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

⁵²⁶ ICC-01/05-01/08-954-Conf-Exp-Anx305, pages 10 to 12.

⁵²⁷ ICC-01/05-01/08-954-Conf-Exp-Anx306; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 612 to 613.

⁵²⁸ ICC-01/05-01/08-954-Conf-Exp-Anx306, pages 10 to 12.

basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 12 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, while she was at home taking care of her sick grandmother, the Banyamulengués broke into her house, located in the [REDACTED] [REDACTED] area, [REDACTED]. She claims that when the Banyamulengués realized that there was nothing valuable to pillage, they raped her, and, as a consequence of the rape, her husband abandoned her and she has been stigmatised within her community. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁵³⁰

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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 1 November 2002.

Applicant [REDACTED]

⁵²⁹ ICC-01/05-01/08-954-Conf-Exp-Anx314; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 628 to 629.

⁵³⁰ ICC-01/05-01/08-954-Conf-Exp-Anx314, pages 10 to 12.

⁵³¹ ICC-01/05-01/08-954-Conf-Exp-Anx316; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 632 to 633.

Claim to victim status

The applicant claims that on 1 November 2002, the Banyamulengués of Jean-Pierre Bemba broke into her house, located in the [REDACTED] area, [REDACTED] and pillaged her belongings and those of her children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵³²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 24 November 2002, while she was out at work in the [REDACTED] the Banyamulengués of Mr Bemba entered her house, located in the [REDACTED] area, [REDACTED] pillaged her belongings and destroyed her house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵³⁴

Analysis and conclusions

⁵³² ICC-01/05-01/08-954-Conf-Exp-Anx316, pages 10 to 12.

⁵³³ ICC-01/05-01/08-954-Conf-Exp-Anx323; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 646 to 647.

⁵³⁴ ICC-01/05-01/08-954-Conf-Exp-Anx323, pages 10 to 12.

The Chamber considers that the 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 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 16 November 2002, the Banyamulengués came to her house, located in [REDACTED] close to the [REDACTED] area, pillaged all her belongings and abused one of her children. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵³⁶

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 16 November 2002.

Applicant [REDACTED]

⁵³⁵ ICC-01/05-01/08-954-Conf-Exp-Anx324; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 648 to 649.

⁵³⁶ ICC-01/05-01/08-954-Conf-Exp-Anx324, pages 10 to 12.

⁵³⁷ ICC-01/05-01/08-954-Conf-Exp-Anx328; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 656 to 657.

Claim to victim status

The applicant states that on 1 November 2002, while she was at home with her children, the Banyamulengués of Mr Bemba invaded the [REDACTED] area, [REDACTED] and came to her house. She further claims that she was raped by seven men and that her house was pillaged. She lists and values her loss. The applicant also alleges that, because of the rape, she and her two children were repudiated by her husband. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵³⁸

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], [REDACTED] on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués of Jean-Pierre Bemba took control over the [REDACTED] area, [REDACTED] and they were randomly firing their guns, raping women, and pillaging and destroying houses. The applicant further claims that his house was completely pillaged and destroyed. He values his loss and he states that he is still traumatised. As

⁵³⁸ ICC-01/05-01/08-954-Conf-Exp-Anx328, pages 10 to 12.

⁵³⁹ ICC-01/05-01/08-954-Conf-Exp-Anx334; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 668 to 669.

a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 1 November 2002, while she was at home with her younger brother and her seven months old baby, nine Banyamulengués entered her house, located in the [REDACTED] area, [REDACTED] and pillaged her belongings. She further claims that, while four of the Banyamulengués were carrying the looted goods, the other five men undressed and raped her. The applicant says that she is still distressed by the fact that she is forced to hide the rape as she fears that her husband would abandon her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁴²

Analysis and conclusions

⁵⁴⁰ ICC-01/05-01/08-954-Conf-Exp-Anx334, pages 10 to 12.

⁵⁴¹ ICC-01/05-01/08-954-Conf-Exp-Anx336; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 672 to 673.

⁵⁴² ICC-01/05-01/08-954-Conf-Exp-Anx336, pages 10 to 12.

The Chamber considers that the 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] [REDACTED] on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 2 November 2002, she was at home with her children, while her husband was in [REDACTED]. She claims that the soldiers of Jean-Pierre Bemba took control over [REDACTED] and they broke into her house, raped her and pillaged some of her belongings. The applicant contends that because of the rape her husband repudiated her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁴⁴

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

⁵⁴³ ICC-01/05-01/08-954-Conf-Exp-Anx338; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 676 to 677.

⁵⁴⁴ ICC-01/05-01/08-954-Conf-Exp-Anx338, pages 10 to 12.

the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 15 March 2003, the Banyamulengués invaded [REDACTED] and pillaged his bus and his household belongings and also burnt and destroyed his house. The applicant values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁴⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, the troops of Jean-Pierre Bemba, speaking Lingala and English, accompanied by the *militaires loyalistes*, came to his house located in the [REDACTED] area, [REDACTED] *arrondissement*. He contends

⁵⁴⁵ ICC-01/05-01/08-954-Conf-Exp-Anx341; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 682 to 683.

⁵⁴⁶ ICC-01/05-01/08-954-Conf-Exp-Anx341, pages 10 to 12.

⁵⁴⁷ ICC-01/05-01/08-954-Conf-Exp-Anx343; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 686 to 687.

that they fired two bullets in the air and three bullets in the roof of his house, in order to intimidate him. He further claims that the men forced him and his family to lie down on the floor facing the ground and they beat them with their military belts. The applicant further alleges that his daughter was raped in front of him in a humiliating and degrading manner and that his house was pillaged and destroyed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁴⁸

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 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 [REDACTED] *arrondissement*, on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, the troops of Jean-Pierre Bemba and the loyalist forces came to his shop, located in the [REDACTED] *arrondissement* of Bangui, where he was together with his employees. He claims that upon their arrival the Banyamulengués attacked him, threw him on the floor and started beating and torturing him. The applicant further claims that the

⁵⁴⁸ ICC-01/05-01/08-954-Conf-Exp-Anx343, pages 9 to 11.

⁵⁴⁹ ICC-01/05-01/08-954-Conf-Exp-Anx344; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 688 to 689.

Banyamulengués looted his documents, a sum of money, two vehicles, and burnt down a part of his shop. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁵⁰

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 on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 30 October 2002, the troops of Jean-Pierre Bemba, who were speaking Lingala and English, and their informers, who were speaking Sango, came to his house located in the [REDACTED] *arrondissement*. The applicant further claims that they addressed him in Lingala, and, because he couldn't understand anything, they beat him with their military belts until the applicant fell on the floor and lost consciousness. He further alleges that the wife of his brother was also beaten and that his household belongings were pillaged. Furthermore, he claims that some equipment from the factory where he was working was looted. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁵²

⁵⁵⁰ ICC-01/05-01/08-954-Conf-Exp-Anx344, pages 9 to 11.

⁵⁵¹ ICC-01/05-01/08-954-Conf-Exp-Anx345; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 690 to 691.

⁵⁵² ICC-01/05-01/08-954-Conf-Exp-Anx345, pages 9 to 11.

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that in October 2002, the Banyamulengués arrived in [REDACTED] and five of them entered her compound and threatened her and her family. She further states that she and her family fled, and that her belongings and merchandise were pillaged. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵⁵⁴

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over

⁵⁵³ ICC-01/05-01/08-954-Conf-Exp-Anx346; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 692 to 693.

⁵⁵⁴ ICC-01/05-01/08-954-Conf-Exp-Anx346, pages 9 to 11.

seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

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

It is stated that in October 2002, in [REDACTED] area, [REDACTED] [REDACTED] six Banyamulengués burst into the applicant's house and looted all her belongings. It is further claimed that three Banyamulengués raped her one after the other and when she started crying her brother tried to save her, but two Banyamulengués shot at him and he died. It is also claimed, that the applicant made an effort to stand up and go to her brother's corpse, but one of the Banyamulengués shot her dead. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant suffered physical, psychological and material harm.⁵⁵⁶

Analysis and conclusion

The Chamber considers that the documents provided demonstrate the identity of the applicant and the relationship with her mother, who acts on her behalf.

⁵⁵⁵ ICC-01/05-01/08-954-Conf-Exp-Anx347; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 694 to 695.

⁵⁵⁶ ICC-01/05-01/08-954-Conf-Exp-Anx347, pages 9 to 11.

The Chamber notes that the date of the alleged events is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

On the basis of 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 murder and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in October 2002.

Applicant [REDACTED]

Claim to victim status

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

The person acting on behalf of the applicant claims that in October 2002, in the [REDACTED] area, [REDACTED] when the applicant returned to his house he saw the Banyamulengués in front of his house and heard his sister crying. It is further claimed that when the applicant tried to save his sister, he was shot and killed by the Banyamulengués. As a result of the alleged events, it is claimed that the applicant suffered physical harm.⁵⁵⁸

Analysis and conclusion

⁵⁵⁷ ICC-01/05-01/08-954-Conf-Exp-Anx348; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 696 to 697.

⁵⁵⁸ ICC-01/05-01/08-954-Conf-Exp-Anx348, pages 9 to 11.

The Chamber considers that the documents provided demonstrate the identities of both the applicant and the person acting on his behalf. Insofar as the kinship between them is concerned, the Chamber notes that the documents provided, namely the applicant's birth certificate and the national identity card of the person acting on his behalf are not sufficient to demonstrate their relationship. Nevertheless, the Chamber notes that the person acting on behalf of the applicant has also filed an application for participation on behalf of her deceased daughter and the kinship between them has been sufficiently demonstrated. After analysing the documents attached to the two applications, the Chamber notes that the relationship between the two deceased applicants, who are brother and sister, is also demonstrated and given the fact that they have the same surname as the person acting on their behalves, the Chamber is satisfied that the relationship between the applicant and his stepmother, who acts on his behalf, is sufficiently demonstrated.

The Chamber notes that the date of the alleged events is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

On the basis of 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 his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] [REDACTED] in October 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that in October 2002, in the [REDACTED] area of Bangui, the troops of Jean-Pierre Bemba abducted the applicant, who was at that time 21 years old, and held her hostage for a month and a half. It is claimed that during this period, the applicant was raped and sexually assaulted, and that, as a consequence, she died in 2009, after a long disease. The application includes various medical documents and a death certificate attesting that the death occurred on [REDACTED] April 2009. As a result of the alleged events, it is claimed that the applicant suffered physical and psychological harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.⁵⁶⁰

Analysis and conclusion

The Chamber considers that the documents provided demonstrate the identity of the applicant and her mother, who acts on her behalf, as well as the kinship between them.

The Chamber notes that the date of the alleged events is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

⁵⁵⁹ ICC-01/05-01/08-954-Conf-Exp-Anx349; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 698 to 699.

⁵⁶⁰ ICC-01/05-01/08-954-Conf-Exp-Anx349, pages 9 to 11, 18 to 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 March 2003, the Banyamulengués came to her house, located in [REDACTED] tortured her and beat her daughter. She also claims that they pillaged her money, her jewellery and her household goods, leaving her in a state of poverty. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁵⁶²

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

⁵⁶¹ ICC-01/05-01/08-954-Conf-Exp-Anx350; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 700 to 701.

⁵⁶² ICC-01/05-01/08-954-Conf-Exp-Anx350, pages 9 to 11.

the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 5 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that in 2002, when the conflict started, she and her children abandoned their house, located in [REDACTED] and fled. She further claims that, upon their return, they found that all their belongings had been stolen. The applicant claims that the “Bania Molebue” or the “Bantias” are responsible for the events. As a result of the alleged events, the applicant claims to have suffered material harm.⁵⁶⁴

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to the year 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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

⁵⁶³ ICC-01/05-01/08-954-Conf-Exp-Anx351; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 702 to 703.

⁵⁶⁴ ICC-01/05-01/08-954-Conf-Exp-Anx351, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that during the unrest of 2002, the Banyamulengués entered [REDACTED] and she tried to flee, but 5 Banyamulengués stopped her, injured her with their weapons and raped her one after the other. She further claims that, after the events, she found that all her belongings had been pillaged. The applicant contends that her health condition deteriorated between 2005-2006 and she found out that she had contracted HIV. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁶⁶

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to the year 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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

⁵⁶⁵ ICC-01/05-01/08-954-Conf-Exp-Anx352; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 704 to 705.

⁵⁶⁶ ICC-01/05-01/08-954-Conf-Exp-Anx352, pages 9 to 11, 21.

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 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 19 October 2002, some men wearing uniforms entered their compound, located in [REDACTED] firing their guns. They shot the applicant in the foot, whereupon the applicant collapsed and, because he was not taken to the hospital, died. The person acting on behalf of the applicant claims that the men of Jean-Pierre Bemba are responsible for the events. She also states that she lost her belongings and her house. 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 and material harm.⁵⁶⁸

Analysis and conclusion

The Chamber notes that the date of birth of the person acting on behalf of the applicant as appearing on the application form does not correspond to the day the person acting on behalf 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 person

⁵⁶⁷ ICC-01/05-01/08-954-Conf-Exp-Anx353; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 706 to 707.

⁵⁶⁸ ICC-01/05-01/08-954-Conf-Exp-Anx353, pages 9 to 11, 18 to 19.

acting on behalf of the applicant is sufficiently demonstrated, as well as the identity of the applicant and the kinship between them.

The Chamber further notes that the date of the alleged events (19 October 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber also observes that, according to the death certificate, the applicant's date of death is ■ December 2003. However, the date when the death was declared is ■ January 2003. The Chamber considers that such inconsistency might be due to inadvertent error, and that the date on which the applicant died is ■ December 2002.

The Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in ■ on 19 October 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that she is also a victim under Rule 85(a), on the basis that she suffered personal harm as a result of the crimes confirmed against the accused, namely the murder of her father and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ■ on 19 October 2002.

Applicant ■

Claim to victim status

⁵⁶⁹ ICC-01/05-01/08-954-Conf-Exp-Anx354; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 708 to 709.

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

It is stated that in October 2002, in ██████ on the road to ██████ near ██████ ██████ the applicant was attacked, tortured and raped by 3 Banyamulengués. The person acting on behalf of the applicant further claims that he and his wife found out about the attack from passers-by and immediately went to look for the applicant; they found her in a very bad state, and, a couple of days later, they took her to the hospital, but because they could not afford the treatment, the applicant died on █ January 2003. The date of death is confirmed by the death certificate, appended to the application. He also claims that the applicant had contracted HIV. As a result of the alleged events, it is claimed that the applicant suffered physical and psychological harm.⁵⁷⁰

Analysis and conclusion

The Chamber considers that the documents provided demonstrate the identities of both the applicant and the person acting on her behalf. Insofar the kinship between them is concerned, the Chamber notes that in the application form it is stated that the applicant is the niece of the person acting on her behalf, whilst in the death certificate it is stated that the applicant is his daughter. However, from the death certificate, as well as from the other documents attached to the application, it results that the person acting on behalf of the applicant is not her father and, even though the documents provided do not clearly show that the applicant is the niece of the person acting on her behalf, the Chamber considers that because the person acting on the applicant's behalf is the person who declared her death, and in view of the intrinsic coherence of the application in all other respects, for the purposes of the present assessment, the relationship between them is sufficiently established.

⁵⁷⁰ ICC-01/05-01/08-954-Conf-Exp-Anx354, pages 9 to 11.

The Chamber notes that the date of the alleged events provided is broad as it only refers to October 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that while he was at home with his family, groups of 5 to 10 armed Banyamulengués started coming to their house, located in the premises of the [REDACTED] [REDACTED] [REDACTED] in Bangui, forced them to leave their house and pillaged their belongings. The applicant appends a document in which he lists and values his loss. The applicant contends that the alleged events occurred between 15 and 20 October 2002. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁷²

Analysis and conclusions

⁵⁷¹ ICC-01/05-01/08-954-Conf-Exp-Anx355; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 710 to 711.

⁵⁷² ICC-01/05-01/08-954-Conf-Exp-Anx355, pages 9 to 11, 20 to 21.

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

The Chamber notes that the date of the alleged events provided by the applicant (between 15 and 20 October 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in Bangui between 15 and 20 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that in 2002, when the Banyamulengués entered [REDACTED] she was at home with her children, while her husband was at the [REDACTED] [REDACTED]. She further claims that on his way back, her husband encountered the soldiers who shot him in front of the [REDACTED] [REDACTED]. The applicant alleges that when the Banyamulengués came to her house, she took her children and fled, and, upon their return, they found out that her husband was dead and that her house had been pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷⁴

⁵⁷³ ICC-01/05-01/08-954-Conf-Exp-Anx356; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 712 to 713.

⁵⁷⁴ ICC-01/05-01/08-954-Conf-Exp-Anx356, pages 9 to 11.

Analysis and conclusions

The Chamber notes that the applicant's date of birth is missing from both the application form and the identity document provided. However, as the age appearing on the identity document corresponds *mutatis mutandis* to the age indicated in the application form and given that the remainder of the information provided in both documents is consistent, the Chamber is of the view that the documents provided sufficiently demonstrate the identity of the applicant. On the other hand, in the absence of any document demonstrating the identity of her husband and the kinship between them, only pillage will be considered for the purpose of the present assessment.

The Chamber notes that the date of the alleged events provided by the applicant is broad as it only refers to the year 2002 and as such might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2002, when Bemba's militia entered [REDACTED] she was at home, together with her family. She further claims that

⁵⁷⁵ ICC-01/05-01/08-954-Conf-Exp-Anx357; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 714 to 715.

when they broke into the house, she and her sister tried to escape to another room, but the men searched the house and despite her protests, 6 Banyamulengués took her by force and raped her one after the other. The applicant contends that, after the events, her health deteriorated and she is HIV positive. She appends a number of medical certificates to her application. The applicant also alleges that they pillaged her belongings and those of her family. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁷⁶

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 ██████ in November 2002.

Applicant ██████

Claim to victim status

The applicant states that in November 2002, while she, her two daughters and her grandsons were at their house, located in ██████ Jean-Pierre Bemba's militia came to her house, broke the door, took her daughters by force and raped them both, one after the other. The applicant claims that, despite the fact that she implored them to stop, they continued, and they threatened her with their guns. She further claims that the men systematically pillaged her

⁵⁷⁶ ICC-01/05-01/08-954-Conf-Exp-Anx357, pages 9 to 11.

⁵⁷⁷ ICC-01/05-01/08-954-Conf-Exp-Anx358; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 716 to 717.

belongings and destroyed her house, including their administrative papers. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁷⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber further considers, that the documents attached to this application as well as those provided in her daughters' applications for participation in the proceedings (██████████ and ██████████), demonstrate the identities of the two daughters and their relationship with their mother.

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 rape of her daughters and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ in November 2002.

Applicant ██████████

Claim to victim status

The applicant claims that in November 2002, while she and her family were at home in ██████████ at the ██████████, the Banyamulengués came and broke the door of their house and took her and her younger sister by force. She further claims that, despite her crying and her pleadings, they forced her to take off her clothes and five men raped her, one after the other, until she lost consciousness. The applicant states that after the rape she developed cardiac

⁵⁷⁸ ICC-01/05-01/08-954-Conf-Exp-Anx358, pages 9 to 11.

⁵⁷⁹ ICC-01/05-01/08-954-Conf-Exp-Anx359; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 718 to 719.

problems and she cannot conceive. She also alleges that they pillaged her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁸⁰

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 ██████ in November 2002.

Applicant ██████

Claim to victim status

The applicant alleges that on 23 November 2002, the Banyamulengués of Jean-Pierre Bemba pillaged her house, located in the ██████ area, ██████ *arrondissement*. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸²

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

⁵⁸⁰ ICC-01/05-01/08-954-Conf-Exp-Anx359, pages 9 to 11.

⁵⁸¹ ICC-01/05-01/08-954-Conf-Exp-Anx360; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 720 to 721.

⁵⁸² ICC-01/05-01/08-954-Conf-Exp-Anx360, pages 9 to 11, 18 to 19.

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 on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 25 October 2002, Jean-Pierre Bemba's men set up their base at the [REDACTED] [REDACTED] and some of them occupied the houses in the area, creating a climate of fear and forcing the inhabitants to flee. She further claims that the men pillaged her house. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁸⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that the date of the alleged events (25 October 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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, the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in October 2002.

⁵⁸³ ICC-01/05-01/08-954-Conf-Exp-Anx361; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 722 to 723.

⁵⁸⁴ ICC-01/05-01/08-954-Conf-Exp-Anx361, pages 9 to 11, 22.

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

The applicant claims that on 12 and 13 November 2002, after they took control over [REDACTED] the 'Mai Mai' soldiers of Jean-Pierre Bemba entered her house, located in the [REDACTED] area of [REDACTED]. The applicant claims that her husband fled and she and her eight children were at home when the soldiers broke into their house. She further claims that they asked her to give them all her money and, when she said she has no money, they started beating her. The applicant alleges that the soldiers pillaged all her belongings and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁸⁶

Analysis and conclusions

The Chamber notes a discrepancy of one year between the date of birth as appearing in the application form and on the electoral card attached thereto. Furthermore, the remainder of the information provided in the electoral card, namely the applicant's surname and the names of the applicant's parents, is not consistent with the data entered in the application form. Accordingly, the Chamber considers that the identity of the applicant is not sufficiently established and therefore rejects the application for participation in the proceedings.

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

⁵⁸⁵ ICC-01/05-01/08-954-Conf-Exp-Anx362; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 724 to 725.

⁵⁸⁶ ICC-01/05-01/08-954-Conf-Exp-Anx362, pages 9 to 11, 18.

⁵⁸⁷ ICC-01/05-01/08-954-Conf-Exp-Anx363; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 726 to 727.

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

It is stated that on 25 July 2002, at 9.50 hours, the person acting on behalf and the applicant were coming back on foot on the road to [REDACTED] and, after the [REDACTED] barrier, they were intercepted by the MLC soldiers of Jean-Pierre Bemba Gombo. He further states that the soldiers pointed their guns at him, and seven of them raped his daughter, one after the other. The person acting on behalf of the applicant claims that, after the events, he took the applicant to the hospital, but she died on [REDACTED] November 2002, as a consequence of a depression. In an additional declaration appended to the application, the person acting on behalf rectifies that the events did not occur on 25 July 2002 but on 30 October 2002, which is consistent with the information provided in the application introduced on his own behalf. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant has suffered physical and psychological harm. Furthermore, the person acting on behalf of the applicant claims to have suffered psychological harm.⁵⁸⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, of her father, who acts on her behalf, as well as their kinship. The Chamber further notes that, as the person acting on behalf is granted victim status with regard to his own application ([REDACTED]), only the harm suffered by his daughter will be considered here.

The Chamber considers that, overall, sufficient evidence has been provided 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 on the road to [REDACTED] after the [REDACTED] barrier on 30 October 2002.

⁵⁸⁸ ICC-01/05-01/08-954-Conf-Exp-Anx363, pages 9 to 11, 23.

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

The applicant claims that in the beginning of November 2002, when she was 15 years old, Jean-Pierre Bemba's militia came to her aunt's house, located in the [REDACTED] area of [REDACTED] where she was living with her aunt and uncle. The applicant claims that the men broke the door of the house and four of them raped her until she lost consciousness. She further claims that they took all her aunt's money and pillaged all their belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁹⁰

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 aunt's house, to the extent of her belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] in the beginning of November 2002.

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

⁵⁸⁹ ICC-01/05-01/08-954-Conf-Exp-Anx364; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 728 to 729.

⁵⁹⁰ ICC-01/05-01/08-954-Conf-Exp-Anx364, pages 9 to 11.

⁵⁹¹ ICC-01/05-01/08-954-Conf-Exp-Anx365; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 730 to 731.

The applicant claims that he was living with his family in the [REDACTED] [REDACTED] area of Bangui, and that, on 28 October 2002, the Banyamulengués invaded his area. He claims that the day before the event, due to some rumours, his sisters had fled to [REDACTED] but because his mother refused to flee, he decided to stay because of her, and also because of the [REDACTED] and all the other equipment he bought in order to open an [REDACTED] cafe. The applicant further claims that, on 28 October 2002, around ten armed Banyamulengués speaking Lingala entered their compound and asked the inhabitants to tell them where their belongings are hidden, otherwise they would kill them all. The applicant claims that he had showed them the place where his equipment was stored and that they pillaged everything. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁹²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

⁵⁹² ICC-01/05-01/08-954-Conf-Exp-Anx365, pages 9 to 11, 19 to 20.

⁵⁹³ ICC-01/05-01/08-954-Conf-Exp-Anx366; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 732 to 733.

The applicant claims that, at the time of the events, he owned a shop in the area of the [REDACTED], [REDACTED] in Bangui. He claims that on 28 October 2002, his son was selling goods in the applicant's shop, when the Banyamulengués came and asked him to give them an important sum of money. As his son did not have the money, one of the soldiers shot him, whereupon he died. The death certificate appended to the application indicates that the death occurred on [REDACTED] December 2002. The applicant claims that the Banyamulengués pillaged and destroyed the shop and he values his loss. The applicant contends that after the events he and his family moved to a different area of Bangui. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁵⁹⁴

Analysis and conclusions

The Chamber notes that the documents provided demonstrate the identity of the applicant and his deceased relative. Regarding the kinship, the Chamber notes that according to the applicant's claim and the death certificate the deceased is the applicant's son while the identification documents provided rather suggest that the deceased is the applicant's brother or stepbrother. However, as the documents demonstrate a close degree of kinship, the Chamber is of the view that such inconsistency 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 son and the pillage of his shop by the Banyamulengués of Jean-Pierre Bemba in Bangui on 28 October 2002.

⁵⁹⁴ ICC-01/05-01/08-954-Conf-Exp-Anx366, pages 9 to 11, 18, 23.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 28 November 2002, when he was having dinner with his family at his house, located in the [REDACTED] area, [REDACTED] *arrondissement*, the troops of Jean-Pierre Bemba, speaking Lingala, entered their compound. He further claims that they took his three daughters by force to rape them behind the house and started beating him with their military belts and the barrels of their rifles in order to force him to give them money. The applicant states that his children and his wife were subjected to torture and his wife lost consciousness. He further contends that, upon the order of their commander, named René, they pillaged all his belongings and loaded them in a pick-up truck. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁵⁹⁶

Analysis and conclusions

The Chamber notes 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 the alleged pillage will be considered for the purpose of the present assessment.

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

⁵⁹⁵ ICC-01/05-01/08-954-Conf-Exp-Anx369; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 738 to 739.

⁵⁹⁶ ICC-01/05-01/08-954-Conf-Exp-Anx369, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 25 October 2002, the applicant and his cousin went outside their compound, located on the [REDACTED] [REDACTED] to see what was happening on the street. It is further claimed that the applicant was shot and killed and that his cousin was also shot and died 3 months later. The person acting on behalf of the applicant claims that those responsible for the events are troops of short armed men, wearing military uniforms, which were speaking a foreign language, known as the Banyamulengués. She attaches to the application a death certificate where it is stated that the death of the applicant occurred on 25 October 2002, as a result of a stray bullet. As a result of the alleged events, the person acting on behalf of the applicant claims that the applicant suffered physical harm.⁵⁹⁸

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and his mother, who is acting on his behalf, as well as their relationship. The Chamber notes that the date of the alleged events (25 October 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the date of the events in such circumstances should not serve to exclude the applicant.

⁵⁹⁷ ICC-01/05-01/08-954-Conf-Exp-Anx370; ICC-01/05-01/08-956-Conf-Exp-Anx3, pages 740 to 741.

⁵⁹⁸ ICC-01/05-01/08-954-Conf-Exp-Anx370, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, a hundred Banyamulengués invaded their concession in [REDACTED]. She claims that they beat her husband and children and that 4 of them held her at gunpoint and raped her in turn until she started bleeding. She adds that they then proceeded to pillage their home and when she tried to hide some of her belongings, they assaulted her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁰⁰

Analysis and conclusions

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

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

⁵⁹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx2; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 2 to 3.

⁶⁰⁰ ICC-01/05-01/08-981-Conf-Exp-Anx2, pages 9 to 11.

against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, her husband, who was a soldier, was travelling back to [REDACTED] in Bangui in order to fulfil his duty, when he met MLC troops. She claims that since then, her husband is missing and was declared as dead in war by the Ministry of Defence. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁰²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her deceased husband. Although there is no marriage certificate appended to the application, their kinship can be inferred from their common surname.

However, the Chamber also notes that the information provided in the application and the appended documents indicates that the applicant is a soldier and therefore does not enjoy the status of a civilian in an armed conflict. In addition, while it follows from the application that the applicant disappeared, there is no information to the effect that the applicant was killed. Accordingly, as the death of the applicant's husband is not the result of a crime confirmed against the accused, the application for participation in the proceedings is rejected.

⁶⁰¹ ICC-01/05-01/08-981-Conf-Exp-Anx3; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 4 to 5.

⁶⁰² ICC-01/05-01/08-981-Conf-Exp-Anx3, pages 9 to 11; 24 to 25.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the MLC forces of Jean-Pierre Bemba Gombo attacked her house in the [REDACTED] in [REDACTED]. She claims that they ran into her and her mother and beat them, threw her mother on the floor and that she consequently started bleeding from her nose. She adds that her mother allegedly died as a consequence of the shock experienced during these events.

She adds that they threatened to rape her if she did not give them money. She states that she gave them money and that her husband, who was threatened to death, also gave them the money [REDACTED] had left in his house. She further claims that they looted her belongings in her house, which she lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁰⁴

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of the applicant, the identity of her mother and the kinship between them.

However, in relation to the alleged harm resulting from her mother's death, the Chamber observes that the card from a non governmental organisation provided as proof of her mother's identity mentions that she is a member since 15 January 2005 and the card itself was issued on 15 January 2008. Accordingly, if the applicant's mother died, such death *prima facie* occurred at least after 15 January 2005, thus three years after the alleged events. Therefore,

⁶⁰³ ICC-01/05-01/08-981-Conf-Exp-Anx4; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 6 to 7.

⁶⁰⁴ ICC-01/05-01/08-981-Conf-Exp-Anx4, pages 9 to 11; 20.

the Chamber is of the view that the applicant failed to demonstrate that the alleged death of her mother was the result of the alleged events.

Nevertheless, 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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 20 November 2002, more than 17 soldiers of Mr Bemba's troops came to her house in the [REDACTED] area and attempted to break in. She claims that as she tried to block them, they pushed her back and beat her up with their guns. She alleges to have been unconscious for 2 hours and that in the meantime the Banyamulengués pillaged her goods. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁰⁶

Analysis and conclusions

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

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

⁶⁰⁵ ICC-01/05-01/08-981-Conf-Exp-Anx5; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 8 to 9.

⁶⁰⁶ ICC-01/05-01/08-981-Conf-Exp-Anx5, pages 9 to 11; 18 to 21.

Banyamulengués of Jean-Pierre Bemba in ██████████ Bangui, on 20 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that from 29 October 2002 to 15 March 2003 the Central African population suffered from exactions. He claims that on 30 October 2002, in ██████████ the Banyamulengués as well as some Central African thefts destroyed his henhouse, stole his hens, his vehicle, administrative documents as well as some of his belongings in his house, all of which he lists and values. He adds that the Banyamulengués used his vehicle to transport the goods they had pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁰⁸

Analysis and conclusions

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

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

Applicant ██████████

Claim to victim status

⁶⁰⁷ ICC-01/05-01/08-981-Conf-Exp-Anx7; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 10 to 11.

⁶⁰⁸ ICC-01/05-01/08-981-Conf-Exp-Anx7, pages 9 to 18; 20.

⁶⁰⁹ ICC-01/05-01/08-981-Conf-Exp-Anx8; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 12 to 13.

The applicant states that on 4 November 2002 in the [REDACTED] area of Bangui, when he came out at night to urinate, Mr Bemba's troops were patrolling. He claims that he heard someone talking in Lingala but as he did not speak that language he did not answer. He states that as a result of his silence they shot twice at him and both bullets hit his legs. He further alleges that two Banyamulengués came to kill him but as he was not moving they assumed he was already dead and they left. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁶¹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant is a minor and the application is introduced on his behalf by his father.

It is stated that on 26 October 2002 in the [REDACTED] area in [REDACTED] the elements of Jean-Pierre Bemba shot the applicant in the stomach. It is claimed that the applicant still suffers from such injury. The person acting on behalf of the minor applicant further claims that his house was pillaged by the troops

⁶¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx8, pages 9 to 11; 19 to 22.

⁶¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx9; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 14 to 15.

of Jean-Pierre Bemba and he appends to that effect the list and value of the stolen goods. 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 material harm.⁶¹²

Analysis and conclusions

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant. However, the Chamber notes that the person acting on the applicant's behalf does not submit any document to establish his identity. As a consequence, in accordance with the principles established in the decision of 12 December 2008, which requires the identity of both the applicant and the person acting on behalf to be confirmed by an identity document accepted by the Chamber, the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 13 February 2003, 8 Banyamulengués speaking Lingala and English entered his house in the [REDACTED] area in [REDACTED]. He claims that they asked him for money and as he did not have any, they began to beat him with their gun crosses, urinated on him, raped his sister in the living room and pillaged his goods. He adds that he was left in a state of unconsciousness for hours. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶¹⁴

Analysis and conclusions

⁶¹² ICC-01/05-01/08-981-Conf-Exp-Anx9, pages 9 to 11; 19 to 20.

⁶¹³ ICC-01/05-01/08-981-Conf-Exp-Anx33; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 16 to 17.

⁶¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx33, pages 9 to 11.

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 sister and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that, between 25 and 30 October 2002, 12 MLC soldiers of Jean-Pierre Bemba entered his concession in the [REDACTED] area in Bangui. He claims that they asked for money as well as for the keys of his motorbike. He adds that he argued with them and, as a result, they threw him underneath his bed alongside his children. He states that, while he was held at gunpoint, they cut his left forefinger. He also claims that they pillaged his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶¹⁶

Analysis and conclusions

The Chamber notes an inconsistency between the dates of birth as appearing in the application form and in the documents attached thereto. However,

⁶¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx34; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 18 to 19.

⁶¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx34, pages 9 to 11; 20 to 21.

given that (i) the date of birth on the form corresponds to the date of the declaration of birth that appears on the birth certificate, (ii) the date of birth appearing on the birth certificate and on the identity card is consistent and that (iii) the remainder of the information provided in the birth certificate is consistent with the data entered in the application form, the Chamber is satisfied that the identity of the applicant is sufficiently established.

Accordingly, the Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, between 25 and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, in the [REDACTED] area of Bangui, the MLC soldiers of Jean-Pierre Bemba entered her house while she was feeding her children. She claims that they asked for the chief of the house but as she replied that he was absent, they forced her and her children to lie down on the floor. She adds that they hit her on her head, as a result of which she lost two teeth. She also states that they then ordered her to leave her house without taking anything and they pillaged her household as well as her money. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶¹⁸

⁶¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx51; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 20 to 21.

⁶¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx51, pages 9 to 11; 18 to 19.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of Bangui on 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 25 and 30 October 2002, in [REDACTED] [REDACTED] while he was in his store, 5 MLC soldiers of Jean-Pierre Bemba came and asked for money and cigarettes. When he replied that he did not have enough, he claims that they threw him out of his store obliging him to seek refuge in another area of Bangui. He adds that, while he was away, the soldiers pillaged his goods. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶²⁰

Analysis and conclusions

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

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

⁶¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx52; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 22 to 23.

⁶²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx52, pages 9 to 11.

against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 25 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 25 and 30 October 2002, MLC soldiers of Jean-Pierre Bemba came to the house in the [REDACTED] area, [REDACTED] while he was alone. He claims that they asked him where the chief of the house was and when he replied that it was him, they asked him to leave without taking anything with him. The applicant states that he left trying to seek refuge in other areas and later joined his parents in [REDACTED] area. He alleges that the Banyamulengués pillaged his belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶²²

Analysis and conclusions

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

The Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a), on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of the house, to the extent of his belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 25 October 2002.

Applicant [REDACTED]

⁶²¹ ICC-01/05-01/08-981-Conf-Exp-Anx53; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 24 to 25.

⁶²² ICC-01/05-01/08-981-Conf-Exp-Anx53, pages 9 to 11.

⁶²³ ICC-01/05-01/08-981-Conf-Exp-Anx54; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 26 to 27.

Claim to victim status

The applicant states that on 28 October 2002, in the [REDACTED] area of Bangui, soldiers of Jean-Pierre Bemba entered her house while she was feeding her children. She claims that they asked for the chief of the house but as she replied that he was absent, they forced her and her children to leave the house without looking back. She adds that the Banyamulengués looted her house in her absence. She lists and values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶²⁴

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 has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on an unspecified date as of 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 5 November 2002, the armed men of Jean-Pierre Bemba came to his farm in the [REDACTED] area, [REDACTED]. He claims that he fled and that the men of Jean-Pierre Bemba occupied his farm for 5 months. He adds

⁶²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx54, pages 9 to 11; 18 to 19.

⁶²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx55; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 28 to 29.

that they pillaged everything and that they ate his cattle. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶²⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] shooting in the air, and forced him and his family to flee. He claims that he and his family ran away in a disorganised manner and sought refuge in the [REDACTED] village, [REDACTED] km away from his house, where they stayed for 6 months. The applicant states that Mr Bemba's men occupied his house for a period of 5 months and pillaged all his belongings and his shop. He lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶²⁸

⁶²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx55, pages 9 to 11; 18.

⁶²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx56; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 30 to 31.

⁶²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx56, pages 9 to 11, 17.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 3 November 2002

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 29 October 2002, the men of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] and pillaged it. He further claims that, 2 days later, they came back to his house with a truck, and pillaged it house for a second time, including the merchandise he had brought home from his hardware store. The applicant states that they accused him of being a rebel and almost killed him by shooting twice between his legs asking him for money; he claims that he gave them 950 000 FCFA and specifies that he almost died. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶³⁰

Analysis and conclusions

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

⁶²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx57; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 32 to 33.

⁶³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx57, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 11 November 2002, she left her house, located in the [REDACTED] [REDACTED] and fled to the bush. She also claims that 7 Banyamulengués caught her sixteen year old daughter and savagely raped her. She alleges that her daughter managed to escape the day after she was raped and that she died 3 weeks later. The applicant attaches to the application form an *attestation de décès*, signed and stamped by the *chef de village*, in which it is stated that the applicant's daughter died on [REDACTED] December 2002 as a consequence of torture and sexual violence. The applicant further claims that her belongings were pillaged. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶³²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identities of both the applicant and her daughter 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

⁶³¹ ICC-01/05-01/08-981-Conf-Exp-Anx59; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 34 to 35.

⁶³² ICC-01/05-01/08-981-Conf-Exp-Anx59, pages 9 to 11.

basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the rape and murder of her daughter and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date as of 11 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that because of the events that started on 28 October 2002 and ended in March 2003, he fled to the bush. He claims that, upon his return, he found that his house, located in [REDACTED] [REDACTED] his pigsty and his henhouse had been pillaged and that his livestock had been killed and eaten by the Banyamulengués. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶³⁴

Analysis and conclusions

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

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

⁶³³ ICC-01/05-01/08-981-Conf-Exp-Anx60; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 36 to 37.

⁶³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx60, pages 9 to 11.

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

The applicant states that because of the events that started on 28 October 2002 and ended in March 2003, he fled to the bush. He claims that, upon his return, he found that his house, located in [REDACTED] [REDACTED] his pigsty and his henhouse had been pillaged, his administrative documents had been burned, and his livestock had been killed and eaten by the Banyamulengués. The applicant lists and values his loss. The applicant also claims that, after having been tortured, his wife had a stillbirth. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶³⁶

Analysis and conclusions

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

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

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

The applicant states that on 29 October 2002, the men of Jean-Pierre Bemba came to his [REDACTED], located in [REDACTED] [REDACTED] beat him, tied him up

⁶³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx61; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 38 to 39.

⁶³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx61, pages 9 to 11, 18 to 19.

⁶³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx62; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 40 to 41.

and pillaged his store and his house. The applicant further claims that they fired their guns inside the house and, as a result, the house caught fire, but he could not do anything about it as he was tied up and held at gunpoint. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶³⁸

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 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, the men of Jean-Pierre Bemba broke into his house, located in [REDACTED] and undressed him and his wife in front of their children. He claims that Mr Bemba's men took him and his family outside the house and made them lie down naked in the sun. The applicant states that the soldiers were shooting randomly and pillaged the house for a period of 4 hours. He lists and values his loss. As a result of the

⁶³⁸ ICC-01/05-01/08-981-Conf-Exp-Anx62, pages 9 to 11, 19.

⁶³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx63; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 42 to 43.

alleged events, the applicant claims to have suffered psychological and material harm.⁶⁴⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 4 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] tortured and injured him and forced him to leave his house. He further claims that they occupied his house for a period of 5 months and pillaged all his belongings and his shop. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁴²

Analysis and conclusions

The Chamber notes that the applicant provides a statement signed by two witnesses attesting his identity and the fact that the applicant had lost his birth certificate. However, the Chamber recalls that in those instances where it is not possible for a victim applicant to acquire or produce any of the listed

⁶⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx63, pages 9 to 11, 19.

⁶⁴¹ ICC-01/05-01/08-981-Conf-Exp-Anx64; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 44 to 45.

⁶⁴² ICC-01/05-01/08-981-Conf-Exp-Anx64, pages 9 to 11, 18.

documents, the Chamber will consider a statement signed by two witnesses attesting the identity of the applicant and such statement shall be accompanied by proof of identity of the two witnesses. In the present case, as only the statement is appended to the application form, but no proof of identity of the two witnesses, the application is refused for lack of sufficient proof of identity.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] firing bullets in the walls of the house and in the air. The applicant claims that he fled to the fields together with his family, and that the men occupied his house for a period of 5 months and pillaged all his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁴⁴

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

⁶⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx65; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 46 to 47.

⁶⁴⁴ ICC-01/05-01/08-981-Conf-Exp-Anx65, pages 9 to 11, 18.

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

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in [REDACTED] [REDACTED] and forced him and his family to leave. He states that the men occupied the house for a period of 5 months, pillaged his goods and destroyed the house, using the doors and the window frames as firewood. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁴⁶

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

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

The applicant states that on 3 November 2002, the armed men of Jean-Pierre Bemba came to his house, located in the [REDACTED] [REDACTED] [REDACTED] firing

⁶⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx66; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 48 to 49.

⁶⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx66, pages 9 to 11, 18.

⁶⁴⁷ ICC-01/05-01/08-981-Conf-Exp-Anx67; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 50 to 51.

bullets in the walls of the house and in the air, and forced him and his family to leave the house. He further states that the men occupied his house for a period of 5 months and pillaged his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁴⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] [REDACTED] on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, because of the events that took place between 25 October 2002 and March 2003, she fled to the bush, in [REDACTED]. She further claims that upon her return, she found that her house, located in [REDACTED] [REDACTED] [REDACTED] had been systematically pillaged by the men of Jean-Pierre Bemba. She claims that they also took the money and merchandise related to her business. The applicant further claims that Mr Bemba's rebels tried to rape her and when she resisted the rape they beat her and she was forced to return to the bush, together with her three children. As a result of the alleged

⁶⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx67, pages 9 to 11, 19.

⁶⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx68; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 52 to 53.

events, the applicant claims to have suffered psychological and material harm.⁶⁵⁰

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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date between 25 October 2002 and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, the rebels of Jean-Pierre Bemba came to her house, located in [REDACTED], forced her to leave and occupied her house. She alleges that after she left her house she met her younger brother at the level of the [REDACTED], where she stayed until 15 March 2003. The applicant appends a document in which she lists and values her lost belongings. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁵²

⁶⁵⁰ ICC-01/05-01/08-981-Conf-Exp-Anx68, pages 9 to 11, 18 to 19.

⁶⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx69; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 54 to 55.

⁶⁵² ICC-01/05-01/08-981-Conf-Exp-Anx69, pages 9 to 11, 19.

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 on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, he was at home, when his older brother came and told him that the Banyamulengués were pillaging his shop, located in the [REDACTED] [REDACTED]. The applicant claims that he went to the market and found that all his merchandise, which he lists and values, had been looted. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁵⁴

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 shop by the Banyamulengués of Jean-Pierre Bemba at the [REDACTED] [REDACTED] on 29 October 2002.

⁶⁵³ ICC-01/05-01/08-981-Conf-Exp-Anx70; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 56 to 57.

⁶⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx70, pages 9 to 11, 19.

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

The applicant states that on 28 October 2002, while she was at home, in [REDACTED] the Banyamulengués broke into her house, claiming that they were looking for Bozizé's rebels. The applicant states that they pillaged all her household belongings. She further claims that the Banyamulengués pillaged her *boutique* [REDACTED], located at the [REDACTED] [REDACTED]. The applicant appends a document in which she lists and values her loss. In this document, the applicant refers to the pillage of her stationery. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁵⁶

Analysis and conclusions

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

The Chamber notes that in the application, the applicant claims that the Banyamulengués pillaged her *boutique* [REDACTED] while the document appended to the application refers to the pillage of her stationery shop. However, the Chamber is of the view that this potential discrepancy might be the result of inadvertent error by the person assisting the applicant in filling in and compiling the form and, as such, should not serve to exclude the applicant. Accordingly, the Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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

⁶⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx71; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 58 to 59.

⁶⁵⁶ ICC-01/05-01/08-981-Conf-Exp-Anx71, pages 9 to 11, 19 to 20.

and her shop by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 October 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 28 October 2002, the rebels of Jean-Pierre Bemba came to the applicant's house, located in [REDACTED]. It is further claimed that the applicant tried to prevent them from entering the house, but because they were many they managed to enter the house and started beating and torturing the applicant and pillaged all her belongings. The person acting on behalf claims that, after these events, the applicant was hospitalized and then she sought refuge in [REDACTED] but she never recovered and she died on [REDACTED] April 2004, as confirmed by the death certificate attached to the application form. As a result of the alleged events, it is claimed that the applicant has suffered physical, psychological and material harm.⁶⁵⁸

Analysis and conclusions

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

Regarding the harm claimed, the Chamber notes that the person introducing the application states that her sister died as a consequence of the beatings and torture. However, as confirmed by the death certificate, the death occurred

⁶⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx72; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 60 to 61.

⁶⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx72, pages 9 to 11.

only eighteen months after the event. Accordingly, when assessed on a *prima facie* basis, the Chamber is of the view that the causal link between the death and the alleged events is not sufficiently established and thus only the alleged pillage will be considered here.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that she was hiding in the bush, when the soldiers of Jean-Pierre Bemba broke into her house, located in the [REDACTED] [REDACTED] and occupied it. She further states that on 29 October 2002, she returned and found that the soldiers were occupying her house and eating her livestock and she was forced to return to the bush. The applicant claims that all her belongings were pillaged and she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶⁰

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

⁶⁵⁹ ICC-01/05-01/08-981-Conf-Exp-Anx73; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 62 to 63.

⁶⁶⁰ ICC-01/05-01/08-981-Conf-Exp-Anx73, pages 9 to 11, 19 to 20.

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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] [REDACTED] before and after 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 29 October 2002 the men of Jean-Pierre Bemba came to her house, located in [REDACTED] [REDACTED], forced her, her husband and children to leave, and occupied the house. The applicant states that they pillaged all her belongings and her livestock and used the bed as firewood. She further claims that Mr Bemba's rebels occupied her house for a second time on 13 March 2002, upon their return from [REDACTED] and they took a sum of money. 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.⁶⁶²

Analysis and conclusions

The Chamber notes that there are discrepancies in the date of birth as appearing on the application form and on the two documents attached thereto. The year of birth mentioned in the application form is not consistent with the applicant's age and the date of birth indicated in the electoral card corresponds to the date the birth was declared. The Chamber considers that

⁶⁶¹ ICC-01/05-01/08-981-Conf-Exp-Anx74; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 64 to 65.

⁶⁶² ICC-01/05-01/08-981-Conf-Exp-Anx74, pages 9 to 11, 21.

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 further notes that one of the dates provided by the applicant (13 March 2002) falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, given that the first reported event allegedly occurred on 29 October 2002, this might be the result of inadvertent error and that the applicant is referring to 13 March 2003.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], [REDACTED] on 29 October 2002 and 13 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that while she was in [REDACTED] in her nephew's house, the men of Jean-Pierre Bemba occupied her house, located in [REDACTED] and pillaged it. The applicant alleges that on 30 October 2002, she returned to [REDACTED] and found that Mr Bemba's soldiers were cutting her bed in order to use it as firewood. She specifies that she was not able to recover her house because she was told that commander [REDACTED] was using it as his base. The applicant appends a document in which she lists and values the goods pillaged by Jean-Pierre Bemba's men between October 2002 and March 2003. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶⁴

⁶⁶³ ICC-01/05-01/08-981-Conf-Exp-Anx75; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 66 to 67.

⁶⁶⁴ ICC-01/05-01/08-981-Conf-Exp-Anx75, pages 9 to 11, 19.

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 the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date between October 2002 and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, while he was at home, in [REDACTED] [REDACTED] the men of Jean-Pierre Bemba entered his house, claiming that they are looking for Bozizé's rebels. He claims that the men pillaged his house, including his merchandise, and he lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶⁶

Analysis and conclusions

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

⁶⁶⁵ ICC-01/05-01/08-981-Conf-Exp-Anx76; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 68 to 69.

⁶⁶⁶ ICC-01/05-01/08-981-Conf-Exp-Anx76, pages 9 to 11, 19.

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, when the Banyamulengués entered his neighbourhood, he and his family fled. He claims that six Banyamulengués came to his house, located in the [REDACTED] of Bangui, and pillaged all his belongings, which he lists. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁶⁸

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] Bangui on 23 November 2002.

Applicant [REDACTED]

⁶⁶⁷ ICC-01/05-01/08-981-Conf-Exp-Anx93; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 70 to 71.

⁶⁶⁸ ICC-01/05-01/08-981-Conf-Exp-Anx93, pages 9 to 11.

⁶⁶⁹ ICC-01/05-01/08-981-Conf-Exp-Anx94; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 72 to 73.

Claim to victim status

The applicant states that on 2 November 2002, one day after she and her children had fled, the Banyamulengués came to her house, located in the [REDACTED] area of [REDACTED] pillaged all her belongings and those of her family and destroyed their house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁷⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, he was accompanying his mother, who needed to travel to [REDACTED] and, at the [REDACTED] barrier, he was stopped by a Banyamulengué, who asked him for money. The applicant states that, because he had no money, the Banyamulengués called four others and the five men beat him. He also alleges that they pillaged his belongings, including his shoes and his watch. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁶⁷²

⁶⁷⁰ ICC-01/05-01/08-981-Conf-Exp-Anx94, pages 9 to 11.

⁶⁷¹ ICC-01/05-01/08-981-Conf-Exp-Anx95; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 74 to 75.

⁶⁷² ICC-01/05-01/08-981-Conf-Exp-Anx95, pages 9 to 11.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués came to her family house, located in the [REDACTED] area of Bangui, raped her, and then abducted and took her to [REDACTED] DRC, where they raped her for six days. She claims that she fled on 29 November 2002 and returned to Bangui. The applicant states that at the time of the event she was thirteen years old and a virgin and that she dropped out of school and cannot find a husband, because she is considered to be 'the wife of the Banyamulengués.' As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁶⁷⁴

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

⁶⁷³ ICC-01/05-01/08-981-Conf-Exp-Anx96; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 76 to 77.

⁶⁷⁴ ICC-01/05-01/08-981-Conf-Exp-Anx96, pages 9 to 11.

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] Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 4 November 2002, the Banyamulengués came to his farm, located in [REDACTED] on the road to [REDACTED] and completely pillaged and destroyed it. The applicant lists and values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁷⁶

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 4 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, while he was in his sewing workshop, located in the [REDACTED] area of Bangui, together with three people

⁶⁷⁵ ICC-01/05-01/08-981-Conf-Exp-Anx97; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 78 to 79.

⁶⁷⁶ ICC-01/05-01/08-981-Conf-Exp-Anx97, pages 9 to 11.

⁶⁷⁷ ICC-01/05-01/08-981-Conf-Exp-Anx100; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 80 to 81.

working there, the Banyamulengués came and pillaged everything, including his clients' clothes. He claims that, as a result of the events, he is in a very difficult economic situation because some of the clients asked him to reimburse their money and others filed complaints. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁷⁸

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 on 3 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that, on 5 December 2002, six rebels came to his house, located in ██████████ to get information. He claims that they also entered the bedroom of his father, who was paralyzed. The applicant further states that they returned the next day, pillaged the house, and threw his father to the ground. He alleges that when his father found out about the pillage, he died, and his step mother abandoned him and his younger brothers. The applicant also mentions that, at the time of the events, he was eleven years old and that they had to flee in order to avoid being murdered. The applicant also states

⁶⁷⁸ ICC-01/05-01/08-981-Conf-Exp-Anx100, pages 9 to 11.

⁶⁷⁹ ICC-01/05-01/08-981-Conf-Exp-Anx101; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 82 to 83.

that a number of minors were raped and some of their neighbours were assassinated. The applicant appends a document in which his lost belongings are listed and valued; the document states that the goods were taken by the Congolese rebels of Jean-Pierre Bemba, on 15 December 2002. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁸⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, nine Banyamulengués broke into her house, located in the [REDACTED] area of Bangui, pillaged the house and raped her, one after the other. The applicant states that, at the time of the events, she was five months pregnant and that a few days later she had a miscarriage. The applicant lists her lost belongings. As a result of the alleged

⁶⁸⁰ ICC-01/05-01/08-981-Conf-Exp-Anx101, pages 9 to 11.

⁶⁸¹ ICC-01/05-01/08-981-Conf-Exp-Anx102; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 84 to 85.

events, the applicant claims to have suffered physical, psychological and material harm.⁶⁸²

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] Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, when the Banyamulengués invaded her neighbourhood and started their pillage and rape campaign, she was at home, in the [REDACTED] area of [REDACTED]. She claims that they were not able to flee, because the area was already occupied, and that the Banyamulengués troops entered her house and pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁸⁴

Analysis and conclusions

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

⁶⁸² ICC-01/05-01/08-981-Conf-Exp-Anx102, pages 9 to 11.

⁶⁸³ ICC-01/05-01/08-981-Conf-Exp-Anx103; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 86 to 87.

⁶⁸⁴ ICC-01/05-01/08-981-Conf-Exp-Anx103, pages 9 to 11.

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] Bangui on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, because of the invasion of the area by Mr Bemba's men, who were committing crimes and firing their guns, he fled from his house, located in the [REDACTED] area of [REDACTED]. He further claims that he was caught by the soldiers, who undressed him and asked him for money. He alleges that, because he had no money, he was savagely beaten until he lost consciousness. He further claims that the soldiers pillaged his clothes and everything he had. As a result of the alleged events, the applicant claims to have suffered physical and material harm.⁶⁸⁶

Analysis and conclusions

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

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

⁶⁸⁵ ICC-01/05-01/08-981-Conf-Exp-Anx 104; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 88 to 89.

⁶⁸⁶ ICC-01/05-01/08-981-Conf-Exp-Anx 104, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

The applicant states that, at the time of the events, she was a widow and she had eleven children. She claims that on 28 October 2002, the [REDACTED] area of [REDACTED] was under the attack of the MLC soldiers of Jean-Pierre Bemba, and she and her children fled. She further claims that she received a stray bullet in her left foot and that she was traditionally healed by her son. The applicant also states that her house was pillaged. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁸⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués of Jean-Pierre Bemba broke into her house, located in the [REDACTED] area of Bangui, forced her and her children to flee and started pillaging the house. She claims

⁶⁸⁷ ICC-01/05-01/08-981-Conf-Exp-Anx106; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 90 to 91.

⁶⁸⁸ ICC-01/05-01/08-981-Conf-Exp-Anx106, pages 9 to 11.

⁶⁸⁹ ICC-01/05-01/08-981-Conf-Exp-Anx107; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 92 to 93.

that after she left the house, she went to the [REDACTED] [REDACTED] where she had a stockroom and, upon her arrival, she saw the MLC men pillaging her merchandise. She further claims that when she arrived at the [REDACTED] [REDACTED] where the Banyamulengués had one of their camps, she was intercepted by them and they started undressing her in order to rape her. However, as they found a sum of money she had been carrying with her, they took the money and let her go. The applicant lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹⁰

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] and [REDACTED] on 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant claims that on 23 November 2002, when the Banyamulengués invaded the [REDACTED] area of Bangui, shooting in all directions, he fled to the fields. He claims that, upon his return, he found that his shop had been pillaged and destroyed. The applicant values his loss. As a result of the

⁶⁹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx107, pages 9 to 11, 18.

⁶⁹¹ ICC-01/05-01/08-981-Conf-Exp-Anx108; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 94 to 95.

alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹²

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] Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués broke into his house, located in the [REDACTED] area of Bangui, [REDACTED] *arrondissement*, and asked him for money. He states that all the men spoke Lingala. He further claims that when he told them he did not have any money but a car, they beat him, raped his wife and pillaged the house. The applicant claims that they also took his vehicle. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹⁴

Analysis and conclusions

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

⁶⁹² ICC-01/05-01/08-981-Conf-Exp-Anx108, pages 9 to 11.

⁶⁹³ ICC-01/05-01/08-981-Conf-Exp-Anx109; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 96 to 97.

⁶⁹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx109, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 November 2002, he was on his home when, at the [REDACTED] [REDACTED] he was stopped by a group of armed soldiers who were speaking Lingala. He claims that they asked him, in French, to give them everything he had on his bicycle and his money, and when he replied he did not have any money, they forced him to step away from his bicycle and took it, as well as all his belongings and a sum of money. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁶⁹⁶

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

⁶⁹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx111; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 98 to 99.

⁶⁹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx111, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, she was at home, in the [REDACTED] [REDACTED] area of Bangui, when five soldiers of Mr Bemba broke into her house. She claims that they raped her, one after the other, and pillaged all her belongings. She further states that after the rape, her partner abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁶⁹⁸

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], Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

⁶⁹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx113; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 100 to 101.

⁶⁹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx113, pages 9 to 11.

⁶⁹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx114; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 102 to 103.

The applicant states that on 24 November 2002, the Banyamulengués pillaged her house, located in the [REDACTED] area of Bangui. She alleges that they forced her and her three sisters to carry the loot to the bank of the river in order to send it towards Zongo. She further states that on their way back from the river they were accompanied by six men of Mr Bemba, who raped all four of them. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁰⁰

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 sisters and the kinship between them, only her alleged rape 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 and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 24 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 27 November 2002, the Congolese militia of Mr Bemba entered his house, located in the [REDACTED] area of Bangui, and tortured him in front of his mother and children. He alleges that

⁷⁰⁰ ICC-01/05-01/08-981-Conf-Exp-Anx114, pages 9 to 11.

⁷⁰¹ ICC-01/05-01/08-981-Conf-Exp-Anx115; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 104 to 105.

they looted and destroyed his property. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁰²

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], Bangui on 27 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 10 December 2002, the Banyamulengués, who spoke Lingala, entered her house, located in the [REDACTED] area of [REDACTED]. She alleges that she was lying down in her living room and, because she had a fever, the men were afraid to rape her, nevertheless, they brutalized her to get her money and then, raped her daughter in front of her. She claims that they threatened them for 45 minutes and they also tortured her three sons. Finally, she adds that they pillaged the house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁰⁴

Analysis and conclusions

⁷⁰² ICC-01/05-01/08-981-Conf-Exp-Anx115, pages 9 to 11.

⁷⁰³ ICC-01/05-01/08-981-Conf-Exp-Anx116; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 106 to 107.

⁷⁰⁴ ICC-01/05-01/08-981-Conf-Exp-Anx116, pages 9 to 11.

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 the alleged pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in 2002, during the rainy season, at the end of the year, the Banyamulengués arrived in the [REDACTED] area of Bangui, [REDACTED] *arrondissement*, alongside the Oubangui River. She alleges that they raped her in front of her daughter who, at the time of the events, was seven years old, and is now deceased. She claims that they completely pillaged her house. The applicant further states that because of these events she has lost everything and she is still traumatised. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁰⁶

Analysis and conclusions

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

⁷⁰⁵ ICC-01/05-01/08-981-Conf-Exp-Anx117; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 108 to 109.

⁷⁰⁶ ICC-01/05-01/08-981-Conf-Exp-Anx117, pages 9 to 11.

The Chamber notes that the date of the alleged events provided by the applicant (end of 2002) is broad and, as such, might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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] Bangui on an unspecified date at the end of 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 22 November 2002, Mr Bemba's men broke into his house, located in the [REDACTED] area of Bangui. He claims that his mother was raped and that she died the same day. According to the date certificate attached to the application form, the applicant's mother died on 22 November 2002. He further alleges that they also beat him and shot at him; he states that he received a bullet in his right leg. The applicant also states that the Banyamulengués pillaged his house. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁰⁸

⁷⁰⁷ ICC-01/05-01/08-981-Conf-Exp-Anx118; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 110 to 111.

⁷⁰⁸ ICC-01/05-01/08-981-Conf-Exp-Anx118, pages 9 to 11.

Analysis and conclusions

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

The Chamber is of the view that there is not sufficient information to establish the causal link between the rape and the death of the applicant's mother. Therefore, as to the harm claimed with regard to the applicant's mother, only the alleged rape 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 attempted murder, the rape of his mother and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui on 22 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, the Banyamulengués entered her house, located in the [REDACTED] area of Bangui, and took her belongings, which she lists. She claims that they forced her and her family to transport their loot to the bank of the Oubangui River and there, she was raped by three Banyamulengués, who, after the rape, crossed the river by boat towards Zongo. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹⁰

Analysis and conclusions

⁷⁰⁹ ICC-01/05-01/08-981-Conf-Exp-Anx119; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 112 to 113.

⁷¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx119, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED], Bangui on 23 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 23 November 2002, in the [REDACTED] area of Bangui, her daughter, who was pregnant, was raped by five men of Mr Bemba. She alleges that her daughter had a miscarriage and died one month later as a consequence of the rape. According to the death certificate attached to the application form the applicant's daughter died on [REDACTED] December 2002. The applicant also states that her house was pillaged, and she lists her lost belongings. The applicant mentions that she lost two daughters, without providing further information in relation to the second daughter. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹²

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the identity of her daughter as well as the kinship between them.

⁷¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx120; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 114 to 115.

⁷¹² ICC-01/05-01/08-981-Conf-Exp-Anx120, pages 9 to 11.

The Chamber is of the view that there is not sufficient information to establish the causal link between the rape and the death of the applicant's daughter. Therefore, as to the harm claimed with regard to the applicant's daughter, only the alleged rape 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 rape of her daughter and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ Bangui on 23 November 2002.

Applicant ██████

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués surrounded the compound of his neighbour, located in the area of ██████ ██████ and they pillaged his neighbour's house and raped his neighbour's wife. The applicant claims that when he went out of his house to see what was going on, the soldiers shot at him, injuring his left thigh. He claims that his neighbours took him to the hospital and he adds that he spent an important sum of money on his medical care. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹⁴

Analysis and conclusions

⁷¹³ ICC-01/05-01/08-981-Conf-Exp-Anx121; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 116 to 117.

⁷¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx121, pages 9 to 11.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] and asked her for 20,000 FCFA. She claims that she gave them the money and fled. The applicant further states that, shortly after these events, the Banyamulengués broke into her compound, pointed their guns at her and told her to put her hands up in the air. She states that, at the time of the events, she was eight months pregnant and that they touched her intimate parts. The applicant further claims that they entered her house and pillaged all of her belongings, which she lists and values in a document attached to the application form, as well as her husband's cattle. The applicant adds that two days later she gave birth to a stillborn child and that she has suffered from hypertension ever since these incidents. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹⁶

Analysis and conclusions

⁷¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx122; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 118 to 119.

⁷¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx122, pages 9 to 11, 18.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, when the Banyamulengués arrived in the [REDACTED] area of Bangui, they entered his compound, forced his daughter to go inside the house and about ten soldiers raped her in front of him. He also alleges that they hit him and pillaged his belongings, which he lists and values. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷¹⁸

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

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

⁷¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx124; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 120 to 121.

⁷¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx124, pages 9 to 11, 20.

the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in ██████████ Bangui on 30 October 2002.

Applicant ██████████

Claim to victim status

The applicant states that between 3 and 4 November 2002, the Banyamulengués broke into her house, located in the ██████████ area of Bangui, ██████████ *arrondissement*. She alleges that one of their commanders forced her to get into the house and ordered her to take her clothes off and then, he threw her on the bed and raped her. She claims that she was raped by five soldiers who also hit her father. The applicant states that they pillaged all her belongings, including her merchandise; she appends a document in which she lists and values her loss. She further alleges that in 2007 she carried out tests which showed she was HIV positive and that her partner abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷²⁰

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 between 3 and 4 November 2002.

⁷¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx125; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 122 to 123.

⁷²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx125, pages 9 to 11, 29.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, when the Banyamulengués seized [REDACTED] they established their base in the [REDACTED] [REDACTED] [REDACTED] where her husband used to work as a [REDACTED]. She alleges that they abducted her, raped her and her daughter, and took a sum of money she had in her possession. She says that they took her to their base and her husband, a [REDACTED], went there to liberate her but the Banyamulengués disarmed him, tortured and sodomised him and they made him drink poisoned wine. The applicant states that her husband died on [REDACTED] April 2003, as confirmed by the death certificate attached to the application. The applicant further states that they looted all her belongings, including her merchandise, which she lists and values in a document annexed to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷²²

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

⁷²¹ ICC-01/05-01/08-981-Conf-Exp-Anx143; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 124 to 125.

⁷²² ICC-01/05-01/08-981-Conf-Exp-Anx143, pages 9 to 11.

the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] on 29 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, when the Banyamulengués seized the [REDACTED] of [REDACTED] they broke into her domicile. She alleges that when they entered her compound, her husband had already fled, so they found her alone with her children. She says they asked her where her husband was and then they hit her with their military belts. She further states that the soldiers, including the child soldiers, looted all her belongings, including her merchandise, which she lists and values in a document annexed to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷²⁴

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 3 November 2002.

Applicant [REDACTED]

⁷²³ ICC-01/05-01/08-981-Conf-Exp-Anx144; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 126 to 127.

⁷²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx144, pages 9 to 11.

⁷²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx146; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 128 to 129.

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] sub-prefecture of [REDACTED] shooting in the air. She alleges that they looted all her belongings, including her money. She appends a document in which she lists and values her loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷²⁶

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, the Banyamulengués seized the [REDACTED] area and intercepted her and her daughter. She alleges that they were speaking Lingala and forced her to take her clothes off. Subsequently, their chief threw her on the bed and raped her. She says that the other soldiers raped her as well. She adds that she was constantly victim of rape from October to March, and that as a consequence her husband abandoned her. She

⁷²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx146, pages 9 to 11, 19.

⁷²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx147; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 130 to 131.

further states that when they left, they looted her belongings, which she lists and values in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷²⁸

Analysis and conclusions

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

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] Bangui, between 29 October 2002 and March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 14 March 2003, the Banyamulengués broke into his house, located in the [REDACTED] area of [REDACTED]. He alleges they took the money he gave to one of his wives and that they started raping her. He says that they asked him for money and then they took him to the peak of a hill where they tortured him and discussed whether to kill him or not. Having decided to leave him alive, they brought him back to his house where they

⁷²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx147, pages 9 to 11, 19.

⁷²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx148; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 132 to 133.

pillaged everything. He lists and values his loss in an annex attached to his application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷³⁰

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 wife and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués broke into her house, located in the [REDACTED] area of [REDACTED] and started torturing her. Then, they allegedly threw her to the ground and inflicted truncheon's blows on her left foot. She claims that they looted her money and her belongings, including her merchandise, and took them away on their vehicles. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷³²

⁷³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx148, pages 9 to 11, 20.

⁷³¹ ICC-01/05-01/08-981-Conf-Exp-Anx150; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 134 to 135.

⁷³² ICC-01/05-01/08-981-Conf-Exp-Anx150, pages 9 to 11, 19.

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2003, she was at her mother's house in [REDACTED] [REDACTED]. She alleges that when the Banyamulengués broke into her house, her mother told her to go hiding. Once the Banyamulengués entered her compound, they held them at gunpoint. She contends they threw her mother to the ground and raped her. She states that she was 13 years old and still virgin at the time and they nonetheless threw her to the bed and raped her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷³⁴

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 mother and the kinship between them, only her alleged rape will be considered for the purpose of the present assessment.

⁷³³ ICC-01/05-01/08-981-Conf-Exp-Anx151; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 136 to 137.

⁷³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx151, pages 9 to 11.

The Chamber notes that the date of the alleged events provided by the applicant [3 November 2003] falls outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all the other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant.

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that 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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués entered her house, located in [REDACTED]. She says that her husband had already fled, leaving her a sum of money. She alleges that they looted everything, including her money and jewellery, and that they inflicted truncheon blows on her. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷³⁶

Analysis and conclusions

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

⁷³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx152; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 138 to 139.

⁷³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx152, pages 9 to 11, 19.

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 3 November 2002.

Applicant ██████████

Claim to victim status

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

It is stated that on 30 October 2002, the Banyamulengués seized the area of ██████████ in Bangui, and entered the applicant's house. It is alleged that they were speaking Lingala and that they brutalized the people in the house. It is stated that several soldiers raped the applicant and that she committed suicide on █ November 2002, due to the trauma she had experienced. In the death certificate appended to the application, it is indicated that the death occurred on █ November 2002. 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.⁷³⁸

Analysis and conclusions

The Chamber notes that the person on behalf claims that the applicant is her mother whereas the documents appended to the application suggest that the applicant is her sister. However, given that the applicant is 24 years older than the applicant, this discrepancy might be due to the specificities of the family constellation and, as such, should not serve to exclude the applicant.

⁷³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx153; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 140 to 141.

⁷³⁸ ICC-01/05-01/08-981-Conf-Exp-Anx153, pages 9 to 11, 19.

Accordingly, the Chamber considers that the documents provided demonstrate the identities of both the applicant and the person acting on her behalf as well as a close degree of kinship.

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 has suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on 30 October 2002. The Chamber further considers that, overall, the person acting on behalf of the applicant has also 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 rape of her sister by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] Bangui, on 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that between 1 and 3 November 2002, when the Banyamulengués entered his compound, in the [REDACTED] area of [REDACTED] he went into hiding. He contends that they found his son and killed him in the fields. Subsequently, they entered his house and looted everything. He also claims that they killed a number of his steers while the rest fled. Later, they allegedly raped his daughter and infected her with HIV. The applicant lists and values his loss in a document attached to his application. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁴⁰

⁷³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx155; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 142 to 143.

⁷⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx155, pages 9 to 11, 19.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in ██████████ between 1 and 3 November 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 30 October 2002, she was driving on her vehicle from ██████████ to Bangui to meet some clients. She alleges that at the level of ██████████ she was intercepted by the rebels of Bozizé, who asked her for money, so she gave them a sum of money and they took her supplies. Then, when she arrived at the level of ██████████, she encountered the Mai-Mai soldiers who let her pass, after she gave them money. Later, at the ██████████ of ██████████ she encountered the Banyamulengués who hit her and looked for money in her pockets and in her intimate parts. She states that they took all her money and the vehicle. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁴²

⁷⁴¹ ICC-01/05-01/08-981-Conf-Exp-Anx156; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 144 to 145.

⁷⁴² ICC-01/05-01/08-981-Conf-Exp-Anx156, pages 9 to 11, 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 and her vehicle by the Banyamulengués of Jean-Pierre Bemba, in ██████████ on 30 October 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués entered her house, located in the ██████████ area of ██████████. At the time, she had a three week old baby. She says that they threw her to the bed and three soldiers raped her one after the other while her baby was crying. She says that they stopped because she started bleeding. She further states that they pillaged her goods, including money and construction material. The applicant lists and values her loss in a document attached to her application. Finally, she adds that she has not been able to conceive since these events. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁴⁴

Analysis and conclusions

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

⁷⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx157; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 146 to 147.

⁷⁴⁴ ICC-01/05-01/08-981-Conf-Exp-Anx157, pages 9 to 11, 19.

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] [REDACTED] on 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, when the Banyamulengués were in control of [REDACTED] they entered her compound located in the area of [REDACTED]. They knocked on her door while she was with her children and then they entered and took her daughter to her bedroom where they raped her. She claims that they then looted her belongings. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁴⁶

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 the alleged pillage will be considered for the purpose of the present assessment.

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

⁷⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx158; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 148 to 149.

⁷⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx158, pages 9 to 11, 21.

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 1 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that from 1 November 2002 to 15 March 2003, when the Banyamulengués were in control of the [REDACTED] area of [REDACTED] they entered her compound while she was with her children. She says that they took her 13 year old daughter and raped her one after another. Her daughter allegedly died two days later. She alleges that in order to bury her, she had to pay the Banyamulengués. Later, she claims that a hundred soldiers occupied her compound. She states that during this time she was forced to cook for them while they kept her as hostage. Further, she adds that, when they left, they pillaged her belongings. The applicant lists and values her loss in a document attached to her application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁴⁸

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 the alleged pillage will be considered for the purpose of the present assessment.

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

⁷⁴⁷ ICC-01/05-01/08-981-Conf-Exp-Anx159; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 150 to 151.

⁷⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx159, pages 9 to 11, 19.

basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba, in [REDACTED] [REDACTED] between 1 November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 30 October 2002, the Banyamulengués burst into his house, which is located in the [REDACTED] area of Bangui. He claims that they were speaking Lingala and asked him for money. As he replied that he did not have any money, they hit him. He alleges that some of them raped his wife and his daughter and forced him to watch. He further states that before they left, they looted his belongings, which he lists and values in a document appended to his application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁵⁰

Analysis and conclusions

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

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

⁷⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx161; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 152 to 153.

⁷⁵⁰ ICC-01/05-01/08-981-Conf-Exp-Anx161, pages 9 to 11, 21.

the accused, namely the rape of his wife and the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba, in ██████████ Bangui on 30 October 2002.

Applicant ██████████

Claim to victim status

The applicant states that on 20 November 2002, the MLC forces of Jean-Pierre Bemba seized the ██████████ area. According to the applicant, they spoke Lingala and English. He asserts that they entered his house and asked him for money to pay for his life. As he told them he did not have any, they started beating him with the butt of their riffles and he fell unconscious. He alleges that they asked his wife for the key of his two cars, that they raped his two daughters and destroyed his property. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁵²

Analysis and conclusions

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

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

⁷⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx162; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 154 to 155.

⁷⁵² ICC-01/05-01/08-981-Conf-Exp-Anx162, pages 9 to 11.

Applicant [REDACTED]

Claim to victim status

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

It is stated that in the period between 25 November 2002 and 15 March 2003, the Banyamulengués occupied the applicant's house, located in [REDACTED] and established [REDACTED]. It is alleged that the person acting on behalf of the applicant was tied up for two weeks and that the Banyamulengués looted all the belongings in the house, which are listed and valued in a document attached thereto. As a result of the alleged events, it is claimed that the applicant suffered material harm. Furthermore, the person acting on behalf of the applicant claims to have suffered physical and material harm.⁷⁵⁴

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.

The Chamber notes, however, that according to the death certificate attached to the application form, the applicant died on 22 November 2002 and, therefore, he could not be victim of pillage as of 25 November 2002. Accordingly, the Chamber considers that the deceased applicant cannot be considered as a victim.

On the other hand, having considered the application as a whole, the Chamber considers that the person acting on behalf of the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under

⁷⁵³ ICC-01/05-01/08-981-Conf-Exp-Anx163; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 156 to 157.

⁷⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx163, pages 9 to 11, 18.

Rule 85(a), on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house, to the extent of his belongings, by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on an unspecified date between 25 November 2002 and 15 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 10 November 2002, 10 soldiers called Banyamulengués shot at his dog, which was barking at them. He says that they surrounded his house, located close to the [REDACTED] in [REDACTED]. He alleges that they entered and took all his belongings. He further adds that they forced him to guide them while hitting him with rifle butts. The applicant lists and values his loss in a document attached to his application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁵⁶

Analysis and conclusions

The Chamber notes a discrepancy of three years in the date of birth as appearing on the application form and on the birth certificate on the one hand and the professional card on the other. However, given that the remainder of the information provided in both identification documents is consistent with the data entered in the application form, The Chamber is of the view that the documents provided demonstrate the identity of the applicant.

The Chamber notes that in the list attached, the applicant states that the events took place on 15 October 2002 and that it was eight soldiers instead of

⁷⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx164; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 158 to 159.

⁷⁵⁶ ICC-01/05-01/08-981-Conf-Exp-Anx164, pages 9 to 11, 21, 22.

10 to loot his house. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, such discrepancies in such circumstances should not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 10 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 16 November 2002, the Banyamulengués entered his house, located in [REDACTED] and took all his belongings. The applicant lists and values his loss in a document attached to the application. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁵⁸

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 16 November 2002.

⁷⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx165; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 160 to 161.

⁷⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx165, pages 9 to 11, 18.

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

The applicant states that on 29 October 2002, when she and her husband were returning from [REDACTED] to Bangui, their truck was stopped by the Banyamulengués in [REDACTED]. She claims that they asked her to undress herself, and when she refused to do so, they took her by force, undressed her and raped her in front of her husband and in the presence of the people around. She states that when her husband wanted to intervene, they tied his hands and legs. The applicant claims that after the rape, her husband abandoned her at the level of [REDACTED] and that they have separated. She states that the Banyamulengués pillaged her money and her merchandise and that they also took the truck. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁶⁰

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 29 October 2002.

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

⁷⁵⁹ ICC-01/05-01/08-981-Conf-Exp-Anx172; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 162 to 163.

⁷⁶⁰ ICC-01/05-01/08-981-Conf-Exp-Anx172, pages 9 to 11; 19.

⁷⁶¹ ICC-01/05-01/08-981-Conf-Exp-Anx173; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 164 to 165.

The applicant states that on 28 October 2002, the Banyamulengués troops came to his house, located in [REDACTED] and pillaged it. He alleges that they took all his belongings, which he lists and values, and that they then shelled his house. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁶²

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

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

It is stated that, on 26 January 2003, the applicant was going from [REDACTED] to Bangui when, in [REDACTED] he was stopped by the Banyamulengués. It is alleged that they asked him for money and, when he answered that he did not have any, he was killed. As a result of the alleged events, it is claimed that the applicant suffered physical harm.⁷⁶⁴

Analysis and conclusions

⁷⁶² ICC-01/05-01/08-981-Conf-Exp-Anx173, pages 9 to 11.

⁷⁶³ ICC-01/05-01/08-981-Conf-Exp-Anx175; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 166 to 167.

⁷⁶⁴ ICC-01/05-01/08-981-Conf-Exp-Anx175, pages 9 to 11.

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. 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 has suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 26 January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that two days after the Banyamulengués arrived in [REDACTED] he fled to the fields together with his wife and children. He claims that upon his return, two days later, he found that the door of his house had been broken and that his house had been pillaged. The applicant appends a document in which he lists and values the belongings stolen by the Banyamulengués during the events of 28 October 2002. As a result of the alleged events, the applicant claims to have suffered material harm.⁷⁶⁶

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

⁷⁶⁵ ICC-01/05-01/08-981-Conf-Exp-Anx201; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 168 to 169.

⁷⁶⁶ ICC-01/05-01/08-981-Conf-Exp-Anx201, pages 9 to 11; 18.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 29 October 2002, nine Banyamulengués broke into his house, located in [REDACTED] while he was having dinner and they took his food and started eating. He further claims that when they asked him to get a bag of manioc for them, he escaped and found refuge in the fields, in [REDACTED]. He alleges that when he came back to his house, after 15 March 2003, he found that the house had been entirely pillaged. He indicates that the chief of the village told him that his house had been occupied by the Banyamulengués for the entire period. 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.⁷⁶⁸

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] between 28 October 2002 and 15 March 2003.

⁷⁶⁷ ICC-01/05-01/08-981-Conf-Exp-Anx202; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 170 to 171.

⁷⁶⁸ ICC-01/05-01/08-981-Conf-Exp-Anx202, pages 9 to 11; 18.

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

The applicant claims that on 15 December 2002, he was at his farm, located in [REDACTED] together with his family, when the Banyamulengués came and pillaged and destroyed everything. The applicant values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁷⁰

Analysis and conclusions

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

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

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

The applicant states that on 26 October 2002, upon the arrival of the Banyamulengués in [REDACTED] she fled together with her family, including her 16 year old niece, to [REDACTED] where they had a house. She claims that the Banyamulengués invaded her house in [REDACTED] once they fled. As for the house in [REDACTED] she contends that the Banyamulengués came three times in one day to get food. Whilst there, two of them allegedly raped her niece, who died in

⁷⁶⁹ ICC-01/05-01/08-981-Conf-Exp-Anx203; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 172 to 173.

⁷⁷⁰ ICC-01/05-01/08-981-Conf-Exp-Anx203, pages 9 to 11.

⁷⁷¹ ICC-01/05-01/08-981-Conf-Exp-Anx204; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 174 to 175.

2004. She further states that they decided to return to [REDACTED] but when they arrived they found their other house was still being occupied by Banyamulengués, so they decided to flee further 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 psychological and material harm.⁷⁷²

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 niece and the kinship between them, only the alleged pillage will be considered for the purpose of the present assessment.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that in the morning of 31 October 2002, the Banyamulengués invaded the [REDACTED] [REDACTED] [REDACTED]. He alleges that in the afternoon he fled and his wife and his ten year old daughter sought refuge at his sister's place. The applicant claims that both his wife and his daughter

⁷⁷² ICC-01/05-01/08-981-Conf-Exp-Anx204, pages 9 to 11; 18.

⁷⁷³ ICC-01/05-01/08-981-Conf-Exp-Anx205; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 176 to 177.

were raped by the Banyamulengués. The applicant states that, later, all of them fled and took refuge in the [REDACTED] village, and, the day after, because their house was still being occupied, they moved to [REDACTED]. He contends that when he came back to [REDACTED] on 5 November 2002, he found that his house had been completely pillaged. The applicant lists and values the stolen goods in an annex. He also claims that he was beaten and that his physical problems persist. The applicant further alleges that after the rapes his wife has had health problems and his daughter has become psychologically disturbed. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁷⁴

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on an unspecified date between 31 October 2002 and 5 November 2002.

Applicant [REDACTED]

Claim to victim status

⁷⁷⁴ ICC-01/05-01/08-981-Conf-Exp-Anx205, pages 9 to 11; 20.

⁷⁷⁵ ICC-01/05-01/08-981-Conf-Exp-Anx206; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 178 to 179.

The applicant states that after their arrival in ██████ on 26 October 2002, the Banyamulengués pillaged her house and she appends a document in which she lists and values her loss. The applicant further claims that, on 28 October 2002, seven men, some wearing uniforms, others dressed as civilians, broke into her house. She alleges that, while they held her partner at gunpoint, four Banyamulengués raped her one after the other. She points out that they also wounded her with a knife. Furthermore, she says that her partner abandoned her and that she has been stigmatized due to the rape. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁷⁶

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in ██████ on 26 and 28 October 2002.

Applicant ██████

Claim to victim status

The applicant states that on 29 October 2002 the Banyamulengués arrived in ██████ firing their guns. She claims that she tried to flee, together with her husband, but they were stopped by the Banyamulengués who tortured

⁷⁷⁶ ICC-01/05-01/08-981-Conf-Exp-Anx206, pages 9 to 11; 18.

⁷⁷⁷ ICC-01/05-01/08-981-Conf-Exp-Anx207; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 180 to 181.

her husband, and seven of them raped her one after the other. She states that after these events they managed to flee and that on 1 November 2002 they came back to their house, located the [REDACTED] but when they found that it was still being occupied by the Banyamulengués, they fled to [REDACTED]. The applicant further states that their house in [REDACTED] was pillaged on 14 March 2003. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁷⁸

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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 29 October 2010, and the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] as of 29 October 2010 as well as in [REDACTED] on 14 March 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that after the attack of the Banyamulengués, on 3 November 2002, she decided to flee, but, in [REDACTED] she was intercepted by six Banyamulengués who raped her, one after the other, and pillaged her bag, her clothes and her money. The applicant states that, as a consequence of the rape,

⁷⁷⁸ ICC-01/05-01/08-981-Conf-Exp-Anx207, pages 9 to 11.

⁷⁷⁹ ICC-01/05-01/08-981-Conf-Exp-Anx208; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 182 to 183.

her partner abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁸⁰

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that, on 1 November 2002, when the Banyamulengués invaded [REDACTED] [REDACTED] her husband fled and she stayed at home, together with her children. She alleges that they broke the door of her house, pillaged everything they needed and raped her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁸²

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

⁷⁸⁰ ICC-01/05-01/08-981-Conf-Exp-Anx208, pages 9 to 11.

⁷⁸¹ ICC-01/05-01/08-981-Conf-Exp-Anx211; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 184 to 185.

⁷⁸² ICC-01/05-01/08-981-Conf-Exp-Anx211, pages 9 to 11.

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]

Claim to victim status

The applicant states that on 15 January 2003, she was coming back from [REDACTED] when the vehicle she was travelling on was stopped by the Banyamulengués in [REDACTED] [REDACTED]. She alleges that, as they did not find much to steal, three of them beat her, undressed her and raped her. She also claims that they took her bag and her money. The applicant states that after these events, her partner abandoned her. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁸⁴

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] [REDACTED] on 15 January 2003.

Applicant [REDACTED]

⁷⁸³ ICC-01/05-01/08-981-Conf-Exp-Anx212; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 186 to 187.

⁷⁸⁴ ICC-01/05-01/08-981-Conf-Exp-Anx212, pages 9 to 11.

⁷⁸⁵ ICC-01/05-01/08-981-Conf-Exp-Anx213; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 188 to 189.

Claim to victim status

The applicant states that, on 2 November 2002, when the Banyamulengués invaded the [REDACTED] area of [REDACTED] she was at her older brother's house. She claims that she tried to flee, but she was stopped by five Banyamulengués who raped her. The applicant says that she is still distressed by the fact that her partner might find out about the rape. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁷⁸⁶

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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] [REDACTED] on 2 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 October 2002, when the Banyamulengués invaded [REDACTED] she was in [REDACTED] together with her family and her partner. She claims that a group of Banyamulengués came to their house, stocked their loot in their yard and broke into the house. The applicant states that two of them asked her for money and valuable belongings. She claims that her partner took them to their room and they pillaged everything. The applicant also states that they undressed her and took a sum of money that she was

⁷⁸⁶ ICC-01/05-01/08-981-Conf-Exp-Anx213, pages 9 to 11.

⁷⁸⁷ ICC-01/05-01/08-981-Conf-Exp-Anx214; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 190 to 191.

hiding in her clothes. She adds that before they left, the Banyamulengués killed her poultry and took it with them. The applicant further states that five days later, a group of five Banyamulengués came to their house and wanted to kill her partner, but she begged them in Lingala not to do so. She claims that they pillaged the rest of their belongings. The applicant also states that her partner fainted and he died as a result of hypertension. She claims that after the events she fled and she only came back after the Banyamulengués' departure on 15 March 2003. 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.⁷⁸⁸

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 1 November 2002, the Banyamulengués of Jean-Pierre Bemba broke into her family house, located in the [REDACTED] area of [REDACTED] and eight of them harassed and raped her. She also claims that her

⁷⁸⁸ ICC-01/05-01/08-981-Conf-Exp-Anx214, pages 9 to 11; 19.

⁷⁸⁹ ICC-01/05-01/08-981-Conf-Exp-Anx217; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 192 to 193.

house was pillaged. She adds that, after the rape, she has been publicly stigmatized and that her husband repudiated her. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁷⁹⁰

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 19 November 2002, she was in the garden of her house, located in [REDACTED] when eight soldiers came and asked her to give them the crops. She further claims that seven soldiers raped her one after the other until she lost consciousness. She identifies the Banyamulengués as being responsible for these events, *inter alia*, because she personally knew one of the perpetrators. The applicant further states that after the rape her partner abandoned her and she moved to [REDACTED] where she received medical treatment. She also claims that, in December 2002, while she was in [REDACTED] they had to flee to the bush and her child died. As a result of the alleged

⁷⁹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx217, pages 4 to 5.

⁷⁹¹ ICC-01/05-01/08-981-Conf-Exp-Anx219; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 194 to 195.

events, the applicant claims to have suffered physical and psychological harm.⁷⁹²

Analysis and conclusions

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

On the basis of the application as a whole, the Chamber considers that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 19 November 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that in January 2003, while the applicant was on her way to [REDACTED] [REDACTED] she was stopped in Bangui by the Banyamulengués. It is alleged that she was raped and, as a consequence, she was infected by HIV and died some years later. According to the applicant's death certificate, which is attached to the application form, she died on [REDACTED] May 2008. 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.⁷⁹⁴

Analysis and conclusions

⁷⁹² ICC-01/05-01/08-981-Conf-Exp-Anx219, pages 4 to 5.

⁷⁹³ ICC-01/05-01/08-981-Conf-Exp-Anx221; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 196 to 197.

⁷⁹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx221, pages 4 to 5.

The Chamber notes that the dates of birth of the applicant and of the person acting on behalf do not appear in the application form. However, given that the remainder of the information provided in the identity documents is consistent with the data entered in the application form, the Chamber considers that the documents provided demonstrate the identities of both the applicant and her brother, who is acting on her behalf, as well as the kinship between them.

Having examined the application as a whole, the Chamber finds 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 Bangui in January 2003.

The Chamber further considers that, overall, the person acting on behalf of the applicant has also provided sufficient evidence to established *prima facie* that he is a victim under Rule 85(a) on the basis that he has suffered personal harm as a result of crimes confirmed against the accused, namely the rape of his sister by the Banyamulengués of Jean-Pierre Bemba in Bangui in January 2003.

Applicant [REDACTED]

Claim to victim status

The applicant states that around the end of October 2003, a group of Banyamulengués broke into his house, located in the [REDACTED] area of [REDACTED] and he and his mother were forced to flee. He alleges that they pillaged all their belongings. The applicant appends a document in which he lists and values his loss and, according to this document, the date of the alleged pillage

⁷⁹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx222; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 198 to 199.

is 27 October 2002. As a result of the alleged events, the applicant claims to have suffered material harm.

Analysis and conclusions

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

The Chamber notes that, according to the applicant, the events occurred in October 2003 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application as well as the list of stolen items attached thereto, according to which the date of the alleged events is 27 October 2002, suggest that the applicant is referring to the events occurred in October 2002. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and, as such, should not serve to exclude the applicant.

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Sunday afternoon between 25 and 30 October 2002, six MLC soldiers of Mr Jean-Pierre Bemba Gombo entered his house, which is located in Bangui, tortured him and pillaged a sum of 900.000 FCFA.

⁷⁹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx226; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 200 to 201.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁹⁷

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his money by the Banyamulengués of Jean-Pierre Bemba in Bangui on a Sunday afternoon in the time period between 25 and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Sunday morning in the time period between 25 and 30 October 2002, in Bangui, the MLC soldiers of Jean-Pierre Bemba entered her house and asked for the chief of the household. When she made gestures indicating that her husband was dead, the Banyamulengués drove her out of her house and pillaged all her belongings. She further alleges that she was beaten with a truncheon. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁷⁹⁹

Analysis and conclusions

⁷⁹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx226, pages 9 to 11.

⁷⁹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx233; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 202 to 203.

⁷⁹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx233, pages 9 to 11.

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in Bangui on a Sunday morning in the time period between 25 and 30 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, while she was serving food to her children, the Banyamulengués soldiers of Mr Jean-Pierre Bemba's MLC entered her house, which is located in the [REDACTED] area, forcing her and her children to flee to another area. During their absence, the MLC soldiers allegedly pillaged her house in a systematic manner. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁰¹

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

⁸⁰⁰ ICC-01/05-01/08-981-Conf-Exp-Anx234; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 204 to 205.

⁸⁰¹ ICC-01/05-01/08-981-Conf-Exp-Anx234, pages 9 to 11.

Jean-Pierre Bemba in the [REDACTED] area on an unspecified date as of 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Friday morning in the time period between 25 and 30 October 2002, seven Banyamulengués soldiers came to her place, which is located in [REDACTED] [REDACTED] and drove her and her children out of their house. The applicant states that during their absence, they pillaged all her belongings.

As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁰³

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 25 October 2002.

Applicant [REDACTED]

Claim to victim status

⁸⁰² ICC-01/05-01/08-981-Conf-Exp-Anx235; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 206 to 207.

⁸⁰³ ICC-01/05-01/08-981-Conf-Exp-Anx235, pages 9 to 11.

⁸⁰⁴ ICC-01/05-01/08-981-Conf-Exp-Anx239; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 208 to 209.

The applicant states that on 28 October 2002, about ten Banyamulengués soldiers entered his compound, located in [REDACTED] and asked in Lingala where they could find his belongings. In order to save their lives, the applicant showed them the stockroom and the Banyamulengués looted the entire house. The applicant states that Mr Bozizé, and his soldiers, the “Zakawa”, are responsible for these events.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁰⁵

Analysis and conclusions

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

The Chamber notes the applicant’s contention according to which Mr Bozizé, and his soldiers, the “Zakawa”, are responsible for these events. However, given that the applicant also alleges that his house was pillaged by the Banyamulengués, who were speaking Lingala, the Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on a Friday of December 2002, she heard the gun shots of the Banyamulengués all over the area where she lives, in [REDACTED] and

⁸⁰⁵ ICC-01/05-01/08-981-Conf-Exp-Anx239, pages 9 to 11.

⁸⁰⁶ ICC-01/05-01/08-981-Conf-Exp-Anx241; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 210 to 211.

consequently, she fled with her children to the [REDACTED] area. She says that in her absence, all her goods were taken from her house. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁰⁷

Analysis and conclusions

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 31 October 2002, in order to escape the gunshots, she fled from her house, which is located in [REDACTED], [REDACTED] to [REDACTED]. She states that when she returned two days later, she noticed that the Banyamulengués had looted her entire house as well as her store with all her merchandise. The applicant appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁰⁹

Analysis and conclusions

⁸⁰⁷ ICC-01/05-01/08-981-Conf-Exp-Anx241, pages 9 to 11, 18.

⁸⁰⁸ ICC-01/05-01/08-981-Conf-Exp-Anx243; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 212 to 213.

⁸⁰⁹ ICC-01/05-01/08-981-Conf-Exp-Anx243, pages 9 to 11, 18.

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

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

Applicant [REDACTED]

Claim to victim status

The applicant states that on 28 October 2002, she fled to the [REDACTED] area, leaving all her belongings behind. She reports that her brother and his children stayed in order to guard the house. However, the situation became increasingly complicated and the entire area (the [REDACTED] area of [REDACTED]) was under the control of the soldiers of Mr Jean-Pierre Bemba, who committed rapes and pillage. Under these circumstances, her brother and his children also fled. The applicant contends that the soldiers pillaged all her belongings. As a result of the alleged events, the applicant claims to have suffered material harm.⁸¹¹

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

⁸¹⁰ ICC-01/05-01/08-981-Conf-Exp-Anx245; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 214 to 215.

⁸¹¹ ICC-01/05-01/08-981-Conf-Exp-Anx245, pages 9 to 11, 18.

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 28 October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 12 December 2002, while she was with her children at their home in [REDACTED] armed men entered her compound and fired shots in the air. They asked her children to lie on the ground and started to pillage the house. She specifies that when they left her compound, they continued to pillage other compounds and killed a man who showed resistance. She contends that she is traumatized as a consequence of the sight of the dead man. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸¹³

Analysis and conclusions

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

The Chamber notes that the applicant does not identify the perpetrators of the alleged events and only refers to "the armed men". However, the Chamber also notes that the applicant states that she is traumatized as a consequence of the sight of the dead man. In these circumstances, the Chamber is of the view that the failure to identify the perpetrators should not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a), on the basis that she suffered personal harm as a result of the crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba [REDACTED] on 12 December 2002.

⁸¹² ICC-01/05-01/08-981-Conf-Exp-Anx246; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 216 to 217.

⁸¹³ ICC-01/05-01/08-981-Conf-Exp-Anx246, pages 9 to 11, 18 to 26.

Applicant [REDACTED]**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 in [REDACTED] in order to visit her sister. On the fourth day of her visit, the Banyamulengués entered the house and fired 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. As a result of these events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf claims to have suffered psychological and material harm as a result of the death of her mother.⁸¹⁵

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant and her daughter who is acting on her behalf. Although there is no document explicitly establishing the kinship, the Chamber considers that the kinship can be inferred from the fact that the daughter is mentioned as witness on the death certificate and that the daughter has the same surnames as the applicant's father and mother. f

However, 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. As a consequence, there is insufficient evidence to establish that the applicant suffered personal harm as a result of crimes

⁸¹⁴ ICC-01/05-01/08-981-Conf-Exp-Anx247; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 218 to 219.

⁸¹⁵ ICC-01/05-01/08-981-Conf-Exp-Anx247, pages 9 to 11, 18 to 22.

confirmed against the accused and the application for participation in the proceedings is rejected.

Applicant [REDACTED]

Claim to victim status

The applicant states that in October 2002, while she was hiding in the bush, the Banyamulengués pillaged her house and her shop, including her money, in [REDACTED]. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸¹⁷

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (October 2002) is broad and, as such, might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant. Accordingly, 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 in October 2002.

⁸¹⁶ ICC-01/05-01/08-981-Conf-Exp-Anx248; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 220 to 221.

⁸¹⁷ ICC-01/05-01/08-981-Conf-Exp-Anx248, pages 9 to 11.

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

The applicant states that in November 2003, in [REDACTED] the Banyamulengués entered her compound, burst into her house and pillaged her belongings as well as her money. As a result of the alleged events, the applicant claims to have suffered material harm.⁸¹⁹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant. The Chamber notes that, according to the applicant, the events occurred in November 2003 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in November 2002. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and, as such, should not serve to exclude the applicant. The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her belongings by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] in November 2002.

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

⁸¹⁸ ICC-01/05-01/08-981-Conf-Exp-Anx250; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 222 to 223.

⁸¹⁹ ICC-01/05-01/08-981-Conf-Exp-Anx250, pages 9 to 11.

⁸²⁰ ICC-01/05-01/08-981-Conf-Exp-Anx253; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 224 to 225.

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

It is stated that on a Tuesday in 2002, in ██████ upon the arrival of the Banyamulengués in the area, people fled to various destinations. However, the child, who was outside, wanted to return to the house and was shot in the chest. It is alleged that the applicant also fell and died. The death certificate appended to the application attests that the death occurred on 12 December 2002. It is contended that the Banyamulengués also pillaged their house. As a result of the alleged events, it is claimed that the applicant suffered physical harm. In addition, the person acting on behalf of the applicant also claims to have suffered psychological and material harm.⁸²¹

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the person acting on behalf as well as the kinship between them. In the absence of any information regarding the identity of the child who was shot, only the alleged murder of the applicant and the alleged pillage will be considered here.

The Chamber notes that the date of the alleged events provided by the applicant (a Tuesday in 2002) is broad and, as such, might fall outside the temporal scope of the present case. Nevertheless, given that the death certificate indicates that the applicant died on 12 December 2002, the Chamber is satisfied that the events fall under the temporal scope of the case. The Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely his murder by the Banyamulengués of Jean-Pierre Bemba in ██████ on 12 December 2002. The Chamber further considers that the person

⁸²¹ ICC-01/05-01/08-981-Conf-Exp-Anx253, pages 9 to 11.

acting on behalf is also 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 husband and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 12 December 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 26 October 2002, she fled to the [REDACTED] area in order to escape the shooting of Jean-Pierre Bemba's rebels. She claims that on 28 October 2002, she went to the hospital to see her son who had been shot at and injured by fragments of projectiles. When she came back, she found her house empty because it had been pillaged by Mr Jean-Pierre Bemba's rebels. According to the applicant, these events occurred in the [REDACTED] area of [REDACTED]. The applicant lists the lost belongings. She further states that her son is handicapped since the events. As a result of the alleged events, the applicant claims to have suffered material harm.⁸²³

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 28 October 2002.

⁸²² ICC-01/05-01/08-981-Conf-Exp-Anx254; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 226 to 227.

⁸²³ ICC-01/05-01/08-981-Conf-Exp-Anx254, pages 9 to 11.

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

The applicant states that on 15 December 2002, in [REDACTED], while she was preparing the meat which was to be sold at the market, she was intercepted by the Banyamulengués who took the entire meat. She claims that she was beaten and tortured by the Banyamulengués and, to save her life, she gave them a sum of money. She further contends that they took all her luggage and clothes. 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.⁸²⁵

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 15 December 2002.

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

The applicant states that on 3 November 2002, the Banyamulengués attacked her place of residence, which is located in the [REDACTED] area of [REDACTED] at the [REDACTED]. She contends that they took a sum of money she was carrying

⁸²⁴ ICC-01/05-01/08-981-Conf-Exp-Anx256; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 228 to 229.

⁸²⁵ ICC-01/05-01/08-981-Conf-Exp-Anx256, pages 9 to 11.

⁸²⁶ ICC-01/05-01/08-981-Conf-Exp-Anx257; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 230 to 231.

with her. They then entered her house, undressed and raped her. They further pillaged the money and the goods they could find in the house. The applicant appends a document in which she values her loss. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸²⁷

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, her house, which is located in the [REDACTED] area, was attacked by the Banyamulengués. She contends that when she heard them entering the house, she fled to another compound, to the *chef de quartier*. When she returned to her home, she noticed that the Banyamulengués had pillaged the entire house, including her money and food supplies. She appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸²⁹

⁸²⁷ ICC-01/05-01/08-981-Conf-Exp-Anx257, pages 9 to 11, 19.

⁸²⁸ ICC-01/05-01/08-981-Conf-Exp-Anx258; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 232 to 233.

⁸²⁹ ICC-01/05-01/08-981-Conf-Exp-Anx258, pages 9 to 11, 19.

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area on an unspecified date as of 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant, a shepherd, states that on 15 November 2002, upon the attack of [REDACTED] by the Banyamulengués, he set up a camp, together with four other shepherds, in [REDACTED] on the road to [REDACTED]. He states that one night, after a fight between the 'Maï- Maï soldiers' of Mr Bemba and the rebels of general Bozizé, the 'Maï- Maï soldiers' came to their camp, beat them with their guns, took their money and killed some of the oxen and forced them to carry the oxen 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.⁸³¹

Analysis and conclusions

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

⁸³⁰ ICC-01/05-01/08-981-Conf-Exp-Anx259; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 234 to 235.

⁸³¹ ICC-01/05-01/08-981-Conf-Exp-Anx259, pages 9 to 11, 20.

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 15 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 2 or 3 November 2002, the Banyamulengués invaded her domicile, which is located in the [REDACTED] area of [REDACTED]. She asserts that upon their arrival in her compound, they started shooting in the air and forced her and her husband to go to their bedroom. They then required her husband to undress her and she was raped by six Banyamulengués one after the other. This is said to have happened in front of her husband, who was flagellated. She further claims that they then pillaged the house and the applicant appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸³³

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

⁸³² ICC-01/05-01/08-981-Conf-Exp-Anx260; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 236 to 237.

⁸³³ ICC-01/05-01/08-981-Conf-Exp-Anx260, pages 9 to 11, 19.

the accused, namely her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in the [REDACTED] area of [REDACTED] on 2 or 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, the Banyamulengués burst into her house, which is located in the [REDACTED] area of Bangui. She states that they forced her husband to give them a sum of money, by holding a knife under his throat. They then threatened the applicant, forcing her to hand over a consistent sum of money, which corresponds to the revenue resulting from a sale of cattle by her husband's brothers. The applicant further contends that she was raped by six soldiers in turns. In addition, she states that she lost her household goods and she appends a document in which she lists and values the loss.

As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸³⁵

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 3 November 2002.

⁸³⁴ ICC-01/05-01/08-981-Conf-Exp-Anx261; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 238 to 239.

⁸³⁵ ICC-01/05-01/08-981-Conf-Exp-Anx261, pages 9 to 11, 19.

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

The applicant states that on 8 March 2003, the Banyamulengués arrived in three cars, taking the direction of [REDACTED]. On their way, they came along a group of young people who were throwing stones at the cars and subsequently fled in the direction of her house, which is located in the [REDACTED] area. The Banyamulengués followed them in their cars and when they arrived in front of her house, they got out of their car, beat her and her family, entered her house and pillaged her belongings. She appends a document in which she lists and values her loss.

As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸³⁷

Analysis and conclusions

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

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

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

⁸³⁶ ICC-01/05-01/08-981-Conf-Exp-Anx262; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 240 to 241.

⁸³⁷ ICC-01/05-01/08-981-Conf-Exp-Anx262, pages 9 to 11, 20.

⁸³⁸ ICC-01/05-01/08-981-Conf-Exp-Anx263; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 242 to 243.

The applicant states that on 3 November 2002 in [REDACTED] upon the attack on the [REDACTED] [REDACTED] by the Banyamulengués, they broke into her compound. They asked her for money. When she replied that she did not have any money, they asked where her husband was. As she replied that her husband was dead, they started beating her with their military belts. She further contends that they looted the entire house, including a sum of 100.000 FCFA. She appends a document in which she lists and values the loss. She also states that one soldier took her 5-year-old grandson and threatened to abduct him if she did not give them money. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸³⁹

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on or about 1 November 2002, the Banyamulengués took control over his area, [REDACTED]. Two days later, there was an argument between his older brother and the MLC soldiers. The latter took control over their compound, beat them and took them to their base, where the applicant

⁸³⁹ ICC-01/05-01/08-981-Conf-Exp-Anx263, pages 9 to 11, 19.

⁸⁴⁰ ICC-01/05-01/08-981-Conf-Exp-Anx264; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 244 to 245.

was tortured. In the meantime, they entered his house and pillaged his belongings and a sum of money. 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.⁸⁴¹

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] between approximately 1 and 3 November 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 16 January 2003, six Banyamulengués entered the house of the applicant and his wife, which is located in [REDACTED]. It is stated that they took their daughter into another room, threw her on the bed and raped her in turns. It is alleged that the daughter contracted HIV as a consequence of the rape. When she started crying, the applicant wanted to enter the room but the Banyamulengués threw him to the ground and tortured him. They then put him into a car and pillaged the house. The lost belongings are listed and

⁸⁴¹ ICC-01/05-01/08-981-Conf-Exp-Anx264, pages 9 to 11, 20.

⁸⁴² ICC-01/05-01/08-981-Conf-Exp-Anx265; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 246 to 247.

valued in a document appended to the application. It is further stated that the applicant died on ■ December 2005, as a consequence of the torture. The judgement on inheritance appended to the application confirms that the death occurred on ■ December 2005. As a result of the alleged events, it is claimed on behalf of the applicant that he suffered physical harm. In addition, the applicant's wife claims to have suffered psychological and material harm.⁸⁴³

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the applicant, the person acting on behalf as well as their kinship.

The Chamber considers that, as the death occurred on ■ December 2005, which is almost 3 years after the alleged torture by the Banyamulengués, the causal link with the events is not sufficiently established. Accordingly, there is insufficient evidence for the Chamber to conclude *prima facie* that the applicant was murdered. Furthermore, in the absence of any document proving the identity of and relationship with the daughter who was raped, only the alleged pillage will be considered for the purpose of the present assessment. On the basis of the application as a whole, the Chamber is of the view that the person acting on behalf of 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 16 January 2003.

Applicant ■

Claim to victim status

⁸⁴³ ICC-01/05-01/08-981-Conf-Exp-Anx265, pages 9 to 11, 21.

⁸⁴⁴ ICC-01/05-01/08-981-Conf-Exp-Anx266; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 248 to 249.

The applicant states that on 3 November 2002, in ██████ the Banyamulengués burst into her domicile and asked her to give them money. When she replied that she did not have any money, they beat her and one of them threw her to the ground, undressed her and raped her in a savage manner. Meanwhile, the other soldiers entered the house and started pillaging all their belongings, including a sum of money the applicant was keeping for her in-laws. She appends a document in which she lists and values the loss. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁸⁴⁵

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 3 November 2002.

Applicant ██████

Claim to victim status

The applicant states that on 2 or 3 November 2002, in ██████ at a time when she was 13 years old, the MLC soldiers of Mr Jean-Pierre Bemba burst into her house, threatening everyone. They hold her father at gunpoint and asked him for money. She states that the Banyamulengués entered the room where she was staying together with other girls and raped them in turns. She specifies

⁸⁴⁵ ICC-01/05-01/08-981-Conf-Exp-Anx266, pages 9 to 11, 21.

⁸⁴⁶ ICC-01/05-01/08-981-Conf-Exp-Anx267; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 250 to 251.

that she was a virgin at that time. After the rape, her parents brought her to the bush where she stayed until 15 March. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁴⁷

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 by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 2 or 3 November 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, in [REDACTED] at a time when she was 12 years old, the Banyamulengués burst into her house, where she was with her mother and her mother's twin sister. She states that they brutalized and raped her mother and her mother's twin sister while another soldier threw the applicant to the ground and raped her. She contends that she was still a virgin at that time and that the Banyamulengués took turns to rape her. She claims that she was covered in blood. She further states that she lost her belongings which she lists and values in a document appended to the

⁸⁴⁷ ICC-01/05-01/08-981-Conf-Exp-Anx267, pages 9 to 11.

⁸⁴⁸ ICC-01/05-01/08-981-Conf-Exp-Anx268; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 252 to 253.

application. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁴⁹

Analysis and conclusions

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

In the absence of any document establishing the identity of and kinship with the applicant's mother and aunt, only the alleged rape of the applicant will be considered here.

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

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

It is stated that on 25 October 2002, the Banyamulengués took control over [REDACTED]. Three days later, they went to the village where the applicant had established a camp. They asked the applicant to give them money. When he replied that he did not have any money, they started searching his bag and found a sum of 3.000.000 FCFA. It is submitted that they beat the applicant in the stomach and killed his oxen. It is claimed that the applicant did not recover from these acts and died on [REDACTED] March 2010. The date of death is

⁸⁴⁹ ICC-01/05-01/08-981-Conf-Exp-Anx268, pages 9 to 11, 21.

⁸⁵⁰ ICC-01/05-01/08-981-Conf-Exp-Anx269; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 254 to 255.

confirmed by the death certificate appended to the application. As a result of these events, it is claimed that the applicant suffered physical, psychological and material harm. The person acting on behalf of the applicant further claims to have suffered psychological and material harm.⁸⁵¹

Analysis and conclusions

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

The Chamber notes that it is claimed that the events occurred three days after 25 October 2002 while it is subsequently submitted that the events occurred on 4 November 2002. However, given that both dates fall under the temporal scope of the present case and in view of the intrinsic coherence of the application in all other respects an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the application.

Accordingly, the Chamber considers that, overall, sufficient evidence has been provided to establish *prima facie* that the applicant is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his oxen and his money in [REDACTED] between 28 October and 4 November 2003. However, insofar as the harm claimed by the person acting on behalf is concerned, the Chamber notes that the latter claims harm for the pillage of the same goods as the ones claimed on behalf of the applicant. As a consequence, the harm claimed by the person acting on behalf won't be considered for the purpose of the present assessment.

Applicant [REDACTED]

⁸⁵¹ ICC-01/05-01/08-981-Conf-Exp-Anx269, pages 9 to 11.

⁸⁵² ICC-01/05-01/08-981-Conf-Exp-Anx270; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 256 to 257.

Claim to victim status

The applicant, a shepherd, states that on 3 or 4 November 2002, in [REDACTED] when he was herding his oxen to the [REDACTED] [REDACTED] together with his brothers, they were intercepted by the Banyamulengués, who asked them for money. He states that they called their boss who came with a vehicle. He contends that they loaded the oxen on this vehicle. In the evening, after the applicant and his brother had returned home, it is reported that the Congolese cook called the Banyamulengués. The Banyamulengués arrived and took them to the [REDACTED], made them lie on the ground and took a sum of money. The applicant appends a document in which he values his loss. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁵³

Analysis and conclusions

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

The Chamber considers that, overall, the applicant has provided sufficient evidence to establish *prima facie* that he is a victim under Rule 85(a) on the basis that he suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of his money and his oxen by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 or 4 November 2002.

Applicant [REDACTED]

Claim to victim status

⁸⁵³ ICC-01/05-01/08-981-Conf-Exp-Anx270, pages 9 to 11, 22 to 23.

⁸⁵⁴ ICC-01/05-01/08-981-Conf-Exp-Anx272; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 258 to 259.

The applicant states that on 3 November 2002, when she was eight months pregnant and after her husband had already fled to the bush, the Banyamulengués burst into her house which is located in [REDACTED]. She contends that they beat her with their weapons and undressed her. They then took her into her room, threw her on the bed and six men took turns to rape her in a violent manner. Meanwhile, the other soldiers allegedly pillaged her house. The applicant appends a document in which she lists and values her loss. She further states that as a consequence of the rape, she was severely injured and gave birth to a stillborn child. As a result of the alleged events, the applicant claims to have suffered physical, psychological and material harm.⁸⁵⁵

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 3 November 2002.

Applicant [REDACTED]

Claim to victim status

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

⁸⁵⁵ ICC-01/05-01/08-981-Conf-Exp-Anx272, pages 9 to 11, 21.

⁸⁵⁶ ICC-01/05-01/08-981-Conf-Exp-Anx273; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 260 to 261.

It is submitted that in November, in ██████ the applicant went to Bangui in order to buy merchandise on account of her business. When she returned to ██████ she was intercepted by three men “dressed like Bemba” who raped her. It is claimed that the applicant died two weeks later and the death certificate appended to the application attests that the death occurred on █ December 2002, as a consequence of AIDS. It is further contended that the applicant lost all her money and merchandise. As a result of the alleged events, it is claimed that the applicant suffered physical, psychological and material harm. In addition, the person acting on behalf of the applicant also claims to have suffered personal harm as a result of the death of her daughter which requires her to provide for her daughter’s eight children. The person acting on behalf further submits that her house was devastated by the Banyamulengués and that she lost her bags containing money and jewellery.⁸⁵⁷

Analysis and conclusions

The Chamber considers that the documents provided demonstrate the identity of the person acting on behalf of the applicant. However, the Chamber observes that there is no proof of kinship. As a consequence, the Chamber is of the view that the person acting on behalf failed to prove legal standing to introduce an application on behalf of her daughter. With regard to the alleged devastation of the house of the person acting on the applicant’s behalf and the loss of her money and jewellery, in the absence of any information regarding the time, place and general circumstances of this event, the Chamber is not satisfied that sufficient evidence has been provided to establish *prima facie* that the person acting on behalf is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused. As a consequence, the application for participation in the proceedings is rejected.

⁸⁵⁷ ICC-01/05-01/08-981-Conf-Exp-Anx273, pages 9 to 11.

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

The applicant states that in October 2002, the soldiers of Mr Bemba invaded the [REDACTED] area in order to pillage. She states that she fled to the [REDACTED] area, together with her mother and her sisters, in order to seek for refuge at her older sister's place. She contends that upon their return, they noticed that the door of her house was broken and that almost everything had been stolen. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁵⁹

Analysis and conclusions

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

The Chamber notes that the date of the alleged events provided by the applicant (October 2002) is broad and, as such, might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant. Accordingly, the Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely the pillage of her family house, to the extent of her personal belongings, by the

⁸⁵⁸ ICC-01/05-01/08-981-Conf-Exp-Anx274; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 262 to 263.

⁸⁵⁹ ICC-01/05-01/08-981-Conf-Exp-Anx274, pages 9 to 11.

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

Applicant [REDACTED]

Claim to victim status

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

It is alleged that upon the applicant's resistance to the Banyamulengués' attempt to steal his vehicle, he was brutally beaten by the Banyamulengués. It is contended that the applicant died as a consequence of the beatings. The death certificate appended to the application attests that the death occurred on 20 October 2002. In addition, the person acting on behalf of the applicant claims that her own money was stolen and that her niece was raped. As a result of the alleged events, it is claimed that the applicant suffered physical harm. The person acting on behalf claims to have suffered psychological and material harm.⁸⁶¹

Analysis and conclusions

The Chamber notes that the applicant's place of birth as indicated in the death certificates differs from the place of birth appearing on the application form and the marriage certificate. However, given that the remainder of the information provided is consistent, the Chamber is of the view that this discrepancy might be the result of inadvertent clerical error and is thus satisfied that the identity of the applicant and his kinship with his wife, who is acting on his behalf, is sufficiently established. The Chamber further notes a discrepancy between the date of birth of the person acting on the applicant's

⁸⁶⁰ ICC-01/05-01/08-981-Conf-Exp-Anx275; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 264 to 265.

⁸⁶¹ ICC-01/05-01/08-981-Conf-Exp-Anx275, pages 9 to 11.

behalf as appearing on the marriage certificate and the identity card on the one hand and the application form on the other. However, as the latter date corresponds to the date of birth of the applicant, and given that the remainder of the information provided is consistent, the Chamber is of the view that this might be the result of inadvertent error and is thus satisfied that the identity of the person acting on behalf is established.

The Chamber notes that while the date of the events is not provided in the application, the death certificate indicates that the death occurred on 20 October 2002, and, as such, on a date falling outside the temporal scope of the present case. As a result, the application for participation in the proceedings is rejected. Regarding the harm claimed by the person acting on behalf, the Chamber notes that it allegedly occurred on the same day the applicant died. For the above-mentioned reasons, this date falls outside the temporal scope of the present case and the harm claimed by the person acting on behalf won't be considered here.

Applicant [REDACTED]

Claim to victim status

The applicant states that in November 2003, in [REDACTED] the Banyamulengúés invaded their area, pillaged her house and raped her and her daughter. Subsequently, the applicant fled to the bush. As a result of the alleged events, the applicant claims to have suffered psychological and material harm.⁸⁶³

Analysis and conclusions

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

⁸⁶² ICC-01/05-01/08-981-Conf-Exp-Anx277; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 266 to 267.

⁸⁶³ ICC-01/05-01/08-981-Conf-Exp-Anx277, pages 9 to 11.

The Chamber notes that, according to the applicant, the events occurred in November 2003 and would as such fall outside the temporal scope of the present case. However, the general circumstances described in the application suggest that the applicant is referring to the events occurred in November 2002. Accordingly, the Chamber is of the view that the discrepancy with regard to the date might be due to inadvertent error and, as such, should not serve to exclude the applicant. Nevertheless, in the absence of any document demonstrating the identity of and kinship with the applicant's daughter, only the alleged rape of the applicant and the alleged pillage will be considered for the purpose of the present assessment. On the basis of the application as a whole, the Chamber is of the view that the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she suffered personal harm as a result of crimes confirmed against the accused, namely her rape and the pillage of her house by the Banyamulengués of Jean-Pierre Bemba in ██████ in November 2002.

Applicant ██████

Claim to victim status

The applicant states that in October 2002, when the Banyamulengués invaded the ██████ ██████ she fled, together with her two children. She states that during her absence, all her belongings were pillaged. According to the applicant, the Banyamulengués troops of Mr Bemba are responsible for these events. As a result of the alleged events, the applicant claims to have suffered material harm.⁸⁶⁵

Analysis and conclusions

⁸⁶⁴ ICC-01/05-01/08-981-Conf-Exp-Anx278; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 268 to 269.

⁸⁶⁵ ICC-01/05-01/08-981-Conf-Exp-Anx278, pages 9 to 11.

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

The Chamber notes that the date of the alleged events provided by the applicant (October 2002) is broad and, as such, might fall outside the temporal scope of the present case. Nevertheless, the Chamber considers that, in view of the intrinsic coherence of the application in all other respects and taking into account the fact that the alleged events occurred over seven years ago, an inaccuracy as to the exact date of the events in such circumstances should not serve to exclude the applicant. Accordingly, the Chamber is of the view that, overall, the applicant has provided sufficient evidence to establish *prima facie* that she is a victim under Rule 85(a) on the basis that she 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 in October 2002.

Applicant [REDACTED]

Claim to victim status

The applicant states that on 3 November 2002, upon the invasion of [REDACTED] by the Banyamulengués, the Banyamulengués entered his home. He states that two of them raped his mother and his sister while the others pulled him into the room, forcing him to watch the rape. Subsequently, they beat him, breaking four of his teeth. At the time of the events, the applicant was ten years old. As a result of the alleged events, the applicant claims to have suffered physical and psychological harm.⁸⁶⁷

Analysis and conclusions

⁸⁶⁶ ICC-01/05-01/08-981-Conf-Exp-Anx280; ICC-01/05-01/08-983-Conf-Exp-Anx3, pages 270 to 271.

⁸⁶⁷ ICC-01/05-01/08-981-Conf-Exp-Anx280, pages 9 to 11.

The Chamber considers that the documents provided sufficiently demonstrate the identity of the applicant, his mother and sister 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 rape of his mother and his sister by the Banyamulengués of Jean-Pierre Bemba in [REDACTED] on 3 November 2002.