

INTERNATIONAL COURT OF JUSTICE

---

**CASE CONCERNING  
ARMED ACTIVITIES ON THE TERRITORY OF THE CONGO**

**DEMOCRATIC REPUBLIC OF THE CONGO**

**v.**

**UGANDA**

**UGANDA'S COMMENTS ON THE DRC'S RESPONSES TO THE  
QUESTIONS FROM THE COURT DATED 11 JUNE 2018**

7 JANUARY 2019



## Table of Contents

|                          |     |
|--------------------------|-----|
| INTRODUCTION.....        | 1   |
| QUESTION 1.....          | 9   |
| QUESTION 2.....          | 53  |
| QUESTION 3.....          | 71  |
| QUESTION 4.....          | 83  |
| QUESTION 5.....          | 103 |
| QUESTION 6.....          | 115 |
| QUESTION 7.....          | 117 |
| QUESTION 8.....          | 123 |
| QUESTION 9.....          | 131 |
| QUESTION 10.....         | 135 |
| QUESTION 11.....         | 139 |
| QUESTION 12.....         | 149 |
| QUESTION 13.....         | 153 |
| QUESTION 14.....         | 163 |
| QUESTION 15.....         | 169 |
| QUESTION 16.....         | 177 |
| QUESTION 17.....         | 179 |
| LIST OF APPENDICES ..... | 185 |



## INTRODUCTION

Pursuant to the Court's letter dated 4 December 2018 (no. 151390), Uganda respectfully submits these comments on the DRC's responses to the Court's questions to the Parties under Article 62 of its Rules.

Uganda is grateful to the Court for the opportunity to submit these comments. It also appreciates the Court's flexibility in adjusting the time-limit for this submission in light of the difficulties the DRC experienced in submitting its responses, particularly the annexes thereto, in a timely and orderly fashion. Uganda's specific comments on each of the DRC's responses to the Court's 17 questions are set forth in the pages that follow this Introduction. Uganda here offers comments of a general nature that relate to the content of the DRC's responses as a whole.

Uganda observes first that despite having been given an opportunity to address the concerns raised by the Court, the DRC's responses generally do not answer the questions the Court actually asked. Instead, they largely recapitulate the same arguments made in, based on the same evidence presented with, the DRC Memorial.

Where the Court requested further evidence, the DRC largely fails to comply. Instead, it presents many of the same materials previously submitted with its Memorial, only repackaged with new annex numbers. Yet, as Uganda explained in its Counter-Memorial, these materials lack probative value and are wholly devoid of the specificity the Court previously indicated would be required to sustain the DRC's reparation claims.<sup>1</sup>

---

<sup>1</sup> See *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, I.C.J. Reports 2005 (hereinafter "*Armed Activities* (2005)"), para. 259 (stating that the

Of the new evidence the DRC submits with its responses, most are the “victim identification forms” the Court solicited in Question 1. As Uganda will explain in its comments to Question 1, these forms, viewed individually and collectively, do not constitute reliable evidence on which an award of compensation can be based. A majority do not even identify the victims of the harm alleged, referring to them instead only as “*non signalé*”. In addition, not a single victim identification form is connected to corroborating documentation of any kind. Other problems include—but are not limited to—the facts that many of the forms are illegible, state that the alleged perpetrators (“*auteurs présumés*”) was someone other than Uganda and/or fail to indicate a valuation for the injury alleged.

Quite apart from the flaws that are evident on the face of the DRC’s victim identification forms, there are also broader, systemic reasons to doubt their reliability. According to the DRC Memorial, sometime after 2005 the DRC created a “Commission of Experts” that engaged in “extensive data collection” and dispatched “teams” to various locations to gather signed “claims forms” from victims setting out the injury they allegedly suffered.<sup>2</sup> In other words, the victim identification forms were prepared years after the events in question by a self-interested party specially for purposes of this case. Indeed, the DRC itself admits that the “work of gathering information from the victims was conducted several years after the end of the war and proved to be particularly difficult and delicate”

---

DRC “would thus be given the opportunity to demonstrate and prove the exact injury that was suffered as a result of specific actions of Uganda constituting internationally wrongful acts for which it is responsible”).

<sup>2</sup> Memorial of the Democratic Republic of Congo on Reparation (Sept. 2016) (hereinafter “DRCM”), paras. 1.30-1.35.

because victims had “difficulty... in recalling specific circumstances” and “finding official documents”.<sup>3</sup>

Aside from the very brief “explanation” just quoted, the DRC has also failed to provide a detailed description of its methodology for collecting its victim identification forms. This failure gives rise to obvious concerns: when a government official approaches someone and indicates that an international court may render compensation in his/her favour provided that he/she fills out a form, there are reasonable doubts as to whether objective information is actually being gathered. These concerns are only heightened in the absence of corroborating evidence, especially in circumstances where such evidence should exist, whether in the form of photographs, invoices, medical records, reconstruction estimates, police reports and so on.

The DRC tries to excuse its failure to produce better evidence with the assertions that “Uganda had an interest in eliminating the traces of the evidence that could be used against it”<sup>4</sup> and “the Ugandan occupation had not allowed the Government of the DRC to conduct an exhaustive count of the persons who suffered injuries as a result of the war of aggression”.<sup>5</sup> Uganda categorically rejects the first

---

<sup>3</sup> DRCM, para. 1.33 (Translation by Counsel, original in French: “Ce travail de collecte des informations auprès des victimes elles-mêmes, réalisé plusieurs années après la fin de la guerre, s’est révélé particulièrement difficile et délicat. Plusieurs éléments ont rendu complexe la récolte de preuves sur le terrain, comme:- le faible niveau d’instruction de la majorité des victimes;- la difficulté pour ces dernières de se remémorer les circonstances précises d’événements à la fois profondément traumatisants et parfois déjà anciens;- les difficultés de retrouver les documents officiels comme les pièces d’identités, certificats de décès, etc. pour toute la période de guerre qui s’est caractérisée par une désorganisation profonde de tous les services administratifs et publics”).

<sup>4</sup> Response to the Court’s Questions of the Democratic Republic of the Congo (26 Nov. 2018) (hereinafter “DRCRQ”) p. 2 (Translation by Counsel, original in French: “l’Ouganda avait intérêt à effacer les traces des preuves qui pouvaient être utilisées en sa défaveur”).

<sup>5</sup> DRCRQ para. 1.2 (Translation by Counsel, original in French: “l’occupation ougandaise n’avait pas permis au gouvernement de la RDC de faire un recensement exhaustif des personnes ayant subi un préjudice du fait de la guerre d’agression”).

allegation. The DRC does not point to any evidence of such Ugandan conduct and there were no findings in that regard in the Court's 2005 judgment. The DRC's assertion is just that: a bald and baseless assertion. There is, moreover, no precedent in international law for any such presumption.

With respect to the DRC's second excuse, Uganda observes that nothing stopped the DRC from gathering evidence—if it existed—as of the date of Uganda's final departure from the DRC (June 2003). Photographs could have been taken. Detailed and signed declarations contemporaneous with, or at least close to, the events in question could have been obtained. Medical records reconstruction estimates or invoices and other documents could have been collected. Yet the DRC appears to have waited years before doing anything, despite the fact that this case was already pending before the Court.

The DRC's behaviour in this case stands in stark contrast with claimants' actions following the 1900-91 Gulf War and the Ethiopia-Eritrea conflict. Unlike the DRC, claimants before both the UN Compensation Committee ("UNCC") and Ethiopia-Eritrea Claims Commission ("EECC") were able to gather detailed, reliable evidence of the kind indicated above.

Even more telling, the DRC failure to come forward with evidence in this case compares unfavourably with the efforts of DRC victims in the *Lubanga* and *Katanga* cases before the International Criminal Court ("ICC"), who suffered harm in the same overall time and place. In those cases, both of which related to conduct in the context of the conflict in Ituri, private Congolese individuals were able to come forward with reliable documentary evidence to prove their claims. Here, in contrast, the DRC has effectively presented the Court with an evidentiary void despite having all the resources of a government available to it. In Uganda's view, this is more likely because the evidence does not support the DRC's excessive claims, not for either of the reasons it states.



In addition to requesting further evidence, the Court also asked the DRC to explain its methodologies in certain critical respects. Here again, rather than provide the requested explanations, the DRC largely repeats the arguments from its Memorial that Uganda already refuted in its Counter-Memorial.

Indeed, the explanations the DRC offers only confirm that its compensation claims are not grounded in evidence showing the specific injury caused by specific wrongful acts attributable to Uganda. Rather, as illustrated by the DRC's responses to Questions 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14 and 15, its claims are driven by arbitrary "percentages", "distribution keys", "multipliers", "estimations", "generalizations", "approximations" and "lump sum amounts", the combination of which leads to wildly exorbitant compensation claims that have no basis in fact.

The DRC's "methodologies" appear designed to circumvent the evidentiary showings traditionally required in inter-State proceedings, which, as Uganda showed in its Counter-Memorial, entail coming forward with clear, reliable and direct evidence of specific harms, a causal nexus between those harms and internationally wrongful actions of Uganda, and the valuation of those the harms.<sup>6</sup>

The DRC's approach, such as it is, more closely resembles the specialised techniques characteristic of a mass claims proceeding, such as those that were used by the UNCC. Under that approach, two or more States may agree (or the Security Council may decide) to set aside the traditional international law rules on reparation, in favour of a process involving lump-sum awards to each member of an entire class of claimants, without differentiating among them based on the harm that they actually suffered. These lump-sum amounts may be designed to vary by category of harm, and may entail minimal evidentiary showings for lower lump-sum amounts

---

<sup>6</sup> Counter-Memorial of Uganda on Reparation (6 Feb. 2018) (hereinafter "UCM"), paras. 4.6-4.44.

but with the possibility of higher lump-sum amounts for higher evidentiary showings.

That said, the DRC's approach in this case lacks the safeguards associated with mass claims techniques, which are very sophisticated and typically involve the production by each claimant of at least minimal evidence. That evidence is then well-organized into a database and tested through highly-specialised techniques of data-matching, statistical sampling and regression analysis. One important feature of these specialized techniques is that if the random sampling of the evidence for a category of claims reveals that a percentage of the sampled evidence is inadequate to establish the sampled claims, then compensation for all claims in that category is automatically reduced by that percentage.

Even as it appears to want to utilize a mass claims-type approach (albeit without any of the actual steps and safeguards associated with that approach), the DRC does not identify any legal basis for its use in the context of a proceeding before this Court (—because there is none).

Viewed as a whole, it is clear that the DRC's request is not grounded in law. It amounts instead to a request that the Court impermissibly decide this matter *ex aequo et bono* or impose punitive damages on Uganda that have nothing to do with the harm actually suffered. The DRC's request is therefore inconsistent with the traditional rules of State responsibility, with the Statute of the Court, and with the express terms of the 2005 Judgment.

Uganda reiterates that it is mindful of the seriousness of the Court's determinations in the 2005 Judgment. It does not in any way seek to question those findings. At the same time, the very seriousness of those findings underscores the fact that the Court has, in effect, already awarded the DRC significant reparation in the form of satisfaction. And while the Court did rule that Uganda is under an

obligation to make reparation for the injury caused, that obligation is specifically conditioned on the Court's instruction to the DRC to prove the exact injury it suffered as a result of specific wrongful acts by Uganda.

Despite having had more than 12 years to do that, and despite having been afforded an opportunity to rehabilitate its case, the DRC still has not provided the Court the evidence or the explanations necessary to support the inordinate amount of compensation that it claims.



## Question 1

*Could the Democratic Republic of Congo (hereinafter DRC) provide the “victim identification forms” that were prepared and collected by the DRC’s Expert Commission, as well as any additional evidence it might have regarding individual victims?*

### Uganda’s Comments on the DRC’s Response

1.1 The DRC’s Response to Question 1 is accompanied by 45 annexes, six of which contain, among other things, the “victim identification forms” that were prepared and collected by the DRC’s Expert Commission.<sup>7</sup> None of those 45 annexes, however, contains evidence supporting the reparations the DRC claims.

1.2 The first two annexes (Annexes 1.0.1 and 1.0.2) are UN General Assembly resolutions cited in the text of the DRC’s response to Question 1. The next 41 annexes (Annexes 1.1 to 1.10.F) contain either the victim identification forms or lists and tables nominally summarizing the contents of those forms. The last two annexes consist of a video relating to hostilities in Kisangani (Annex 1.11) and a report prepared by the DRC (Annex 1.12).

1.3 **Section I** of these comments explains why the DRC’s victim identification forms and related materials do not constitute reliable evidence supporting the DRC’s reparation claims. **Section II** shows briefly why the video and report the DRC submits do not do so either.

---

<sup>7</sup> These annexes are DRCRQ Annexes 1.1, 1.2, 1.3, 1.4, 1.5, and 1.5.1.

**I. The Victim Identification Forms Fail to Provide the Evidence Necessary to Justify the Reparation Claimed by the DRC**

**A. THE DRC'S ANNEXES**

1.4 As stated, the DRC's response to Question 1 is accompanied by 41 annexes (Annexes 1.1 to 1.10.F) relating to the victim identification forms. The DRC does not explain how to navigate those annexes, however.<sup>8</sup> Uganda will therefore do so.

1.5 The first six annexes (Annexes 1.1 to 1.5.1) are electronic file folders<sup>9</sup> containing the victim identification forms. These six folders are organized by region:

- Annex 1.1 for Beni;
- Annex 1.2 for Butembo;
- Annex 1.3 for Gemena;
- Annex 1.4 for Ituri;
- Annex 1.5 for Kisangani; and
- Annex 1.5.1 for additional Kisangani files obtained from victims' associations.<sup>10</sup>

---

<sup>8</sup> In its Response, the DRC merely states that the victim identification forms may be found in Annexes 1.1 to 1.5. DRCRQ, para. 1.8. The DRC fails to mention that there are also forms in Annex 1.5.1, and the DRC fails to make any reference to any of the other 35 annexes.

<sup>9</sup> For purposes of this analysis, Uganda only examined in detail the electronic files the DRC submitted. The DRC's electronic files were better organized and easier to navigate than the bound volumes of documents the DRC also submitted to the Court.

<sup>10</sup> DRCRQ, para. 1.11.

1.6 In its Memorial, the DRC asserted that “nearly 10,000 forms (two- to four-page documents) were completed”.<sup>11</sup> The number of victim identification forms presented with the DRC’s response to Question 1 is much less than that, however. Annexes 1.1 to 1.5.1 contain only 4,645 such forms.<sup>12</sup> Moreover, the large majority of them are only one page, not two to four pages, as the DRC stated in its Memorial.

1.7 An example of a typical victim identification form from Annex 1.1 is reproduced below:

---

<sup>11</sup> DRCM, para. 1.35.

<sup>12</sup> These 4,645 victim identification forms are contained across 6,295 files. There is a greater number of files than forms because some forms are multiple pages long, with each page constituting a separate file. Annex 1.1 contains 1,003 victim identification forms (across 1,027 files); Annex 1.2 contains 301 victim identification forms (across 445 files); Annex 1.3 contains 24 victim identification forms (across 40 files); Annex 1.4 contains 1,808 victim identification forms (across 1,808 files); Annex 1.5 contains 1,499 victim identification forms (across 2,610 files); Annex 1.5.1 contains 10 victim identification forms (across 64 files).

**REPUBLIQUE DEMOCRATIQUE DU CONGO**  
**MINISTRE DE LA JUSTICE ET DROITS HUMAINS**  
**Cabinet du Ministre**  
*Commission d'Evaluation du Préjudice subi par la R.D.C. lors de la guerre d'agression par l'Ouganda*

**FORMULAIRE A**

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > **PERSONNE PHYSIQUE**

|  |                    |                           |
|--|--------------------|---------------------------|
| 1. Nom, Post-nom (Prénom) : .....                              |                    |                           |
| Surnom : .....   |                    |                           |
| 2. Sexe : .....  | Ethnie : .....     |                           |
| 3. Lieu et date de naissance : .....                           |                    |                           |
| Nom du père : ..... et de la mère : .....                      |                    |                           |
| 5. Village d'origine : .....                                   | Groupement : ..... | Secteur/Chefferie : ..... |
| Territoire : .....   | District : .....   | Province : .....          |
| 6. Etat-civil : Célibataire – Marié(e) – Divorcé(e) – Veuf(ve) |                    |                           |
| 7. Profession : .....  |                    |                           |
| (Si possible, nom ou dénomination et adresse de l'employeur)   |                    |                           |
| 8. Domicile/Résidence : .....                                  |                    |                           |
| 6. Dommages subis : 4.500 \$                                   |                    |                           |

| Nature  | Date       | Auteurs présumés |
|---|------------|------------------|
| 1° Fuite dans la forêt :                        | 10/10/2002 | SOLDAT UGANDAIS  |
| 2° Perte des biens : tous les effets personnels |            | UP 2 P.          |
| Préjudices corporels graves :                   |            |                  |
| 4° Décès :                                      |            |                  |

7. Lieu et date d'identification : .....

Signatures :

|                                 |                             |                   |
|---------------------------------|-----------------------------|-------------------|
| Nom Enquêteur : .....           | Fonction officielle : ..... | Signature : ..... |
| Nom du Déclarant : .....        | Profession : .....          | Signature : ..... |
| Nom Interprète : .....          | Profession : .....          | Signature : ..... |
| Autre personne présente : ..... | Profession : .....          | Signature : ..... |

**Annex 1.1 (Fiches d'identification de BENI)**  
**File "BENI\_CCF05032016 (2)\_002"**

1.8 Annexes 1.1 to 1.5.1 contain more than just victim identification forms. An additional 1,120 single-page files are interspersed (apparently at random) throughout the relevant folders.<sup>13</sup> Among these 1,120 files, 230 are handwritten

<sup>13</sup> Annexes 1.1 to 1.5.1 contain a total of 7,415 files (Annex 1.1 contains 1,141 files; Annex 1.2 contains 672 files; Annex 1.3 contains 41 files; Annex 1.4 contains 2,442 files; Annex 1.5 contains



claims tables<sup>14</sup> that the DRC appears also to rely on in making its reparation claim,<sup>15</sup> even though the DRC made no mention of such tables in its Memorial or its response Question 1. An example of one such handwritten claims table appears below:

| N°D' ORDRE      | Identité du victime           | Adresse ancienne de victime | Adresse actuelle de victime                 | Perte en vie Humaine et personne vivant avec les éclats                            | Perte de bien et maisons endommagées   | Montant à dédommager | Observation |
|-----------------|-------------------------------|-----------------------------|---|--|--|----------------------|-------------|
| FG<br>39<br>*   | Jamel BAFISHEU<br>NOKANYABIKO | /                           | 98744<br>N°21<br>MOKISO                     | NAKOLA BANGE<br>elle est<br>KANIKI (Basse<br>BANANGAUA<br>(œil crevé par<br>éclat) | Plan sur immeuble<br>par bombe<br>Kasabé brûlé<br>Abîmés<br>Cassés et<br>autres effets<br>et la culture                          | 192408               |             |
| * FG<br>40<br>C | KOLI KALO<br>CEWAKO           | /                           | Centre<br>Commercial<br>Pendant<br>et après | /  | 1 fanqo<br>1 valise Content<br>des habits<br>4 Content pour<br>Soyez<br>3 livres empilés   | 5000\$               |             |
| FG<br>48<br>C   | AZISEA<br>TENGENI             | /                           | 7EAV.<br>BATAKWA<br>N°18<br>TIBOPU          | /  | 250 tôle 8x28<br>80 charbon 2x2<br>50 planches<br>40 sac ciment<br>3 sacs<br>3 matras<br>1 consultation<br>1 médicament de curer | 15.000\$             |             |

**Annex 1.5 (Fiches d'identification de KISANGANI)  
File "Copie (2) de KISANGANI\_SUITE\_CCF05032016\_056"**

3,045 files; Annex 1.5.1 contains 74 files). 6,295 files are pages of victim identification forms; 230 files are handwritten claims tables; the remaining 890 files are stray files.

<sup>14</sup> Annex 1.2 contains 135 handwritten claims tables; Annex 1.5 contains 85 handwritten claims tables; Annex 1.5.1 contains 10 handwritten claims tables.

<sup>15</sup> Some entries on the valuation lists, as introduced below, refer to claims recorded in handwritten claims tables.

1.9 The remaining 890 files contained in Annexes 1.1 to 1.5.1 are a hodge-podge of seemingly stray files with no evident connection to any victim identification form. These include completely blank files, handwritten lists and other miscellaneous files. Examples are shown below:



**Annex 1.1 (*Fiches d'identification de BENI*)**  
**File "BENI\_SUITE2\_CCF08032016\_0006\_001 – Copie"**

| Description des faits ayant<br>....)  | Ajudge (événements, dates   | Description des auteurs<br>directs et/ou indirects              |
|---|---|---|
| <p>Il s'agit le lundi du 05/6/2009 que<br/>J'ai perdu mon grand-père<br/>MORIS-HEMEDI âgé de 36 ans</p> |   | <p>La mort a été<br/>même au camp<br/>de la faction OUGANDA</p> |
| <p>prejudice<br/>Au plan physique (sanitaire)</p>   | <p>Scars de oppression<br/>entre deux troupes<br/>re les OCCASIONIS et QUANBANG</p> |   |

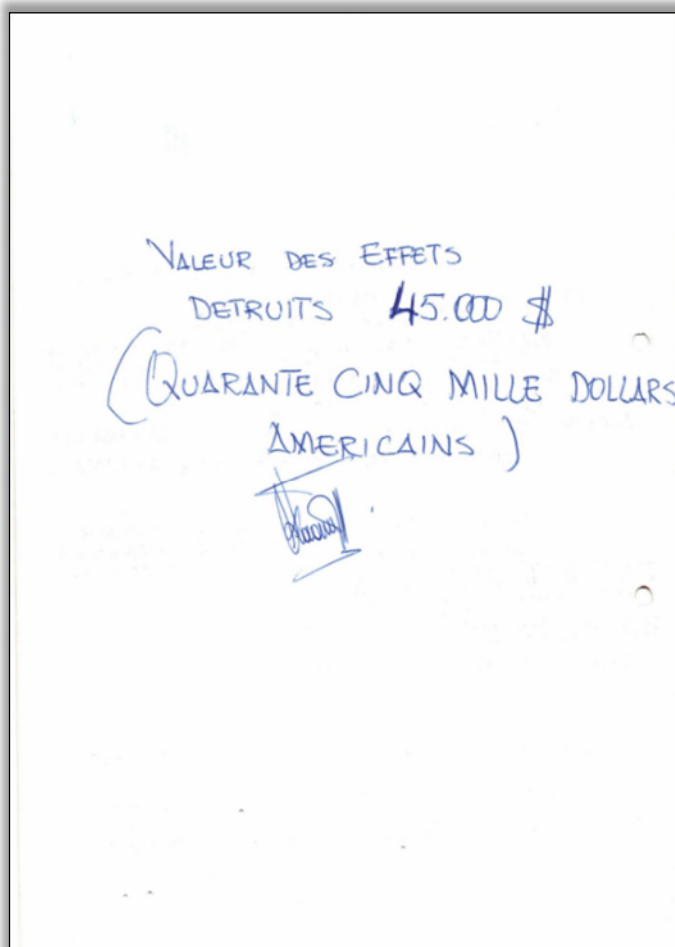
**Annex 1.2 (Fiches d'identification de BUTEMBO)**  
**File "CCF22082016\_0032\_006"**

LISTE DES BIENS PILLES PAR LES MILITAIRES  
OUANDJAI DE U.P.F

| V°   | ARTICLES                     | COUP \$    | OBSERVATION |
|------|------------------------------|------------|-------------|
| 01.- | 3 Maisons + Meubles + Habits | 1500 \$    |             |
| 02.- | 40 Vaches                    | 1200 \$    |             |
| 03.- | 18 cochons + 9 chèvres       | 1050 \$    |             |
| 04.- | 1 kilo                       | 150 \$     |             |
| 05.- | 5 kg d'or                    | 750 \$     |             |
| 06.- | 6 Eponges de lit             | 240 \$     |             |
| 07.- | 4 paires de souliers         | 100 \$     |             |
| 08.- | 1 montre musicale            | 20 \$      |             |
| 09.- | 2 Poste de Radio             | 100 \$     |             |
| 10.- | 50 tôles                     | 1000 \$    |             |
| 11.- | 3 lampes                     | 20 \$      |             |
| 12.- | 1 Panneau solaire            | 150 \$     |             |
| 13.- | 30 Assiettes                 | 150 \$     |             |
| 14.- | 7 Réipients                  | 240 \$     |             |
| 15.- | 5 Piques + 2 machettes       | 50 \$      |             |
| 16.- | 3 Personnes                  | 450 \$     |             |
|      | TOTAL GEN                    | 456.820 \$ |             |

**Annex 1.3 (Fiches d'identification de GEMENA)**

**File "GEMENA\_CCF05032016\_0001\_005"**



**Annex 1.4 (*Fiches d'identification de ITURI*)**  
**File "ITURI\_SUITE4\_CCF07032016\_0006\_053"**

1.10 The remaining 35 annexes relating to the victim identification forms (Annexes 1.6 to 1.10.F) are lists and tables allegedly summarizing the contents of the victim identification forms and handwritten claims tables. These lists and tables were previously submitted with the DRC Memorial, only with different annex numbers. There are seven annexes for each of five regions. Annexes 1.6 to 1.6.F, for example, concern Beni.

- Annex 1.6 ("*Evaluation décès Beni*") is a valuation list relating to claimed deaths;

- Annex 1.6.A (“*Evaluation fuite Beni*”) is a valuation list relating to claimed displacements;
- Annex 1.6.B (“*Evaluation lésions Beni*”) is a valuation list relating to claimed personal injuries;
- Annex 1.6.C (“*Evaluation pertes biens Beni*”) is a valuation list relating to claimed property loss or damage;
- Annex 1.6.D (“*Tableau synthèse des évaluation pertes des biens Beni*”) is a synthesizing table relating to the valuation of property allegedly lost or damaged;
- Annex 1.6.E (“*Liste des biens perdus Beni*”) is a list of property allegedly lost or damaged; and
- Annex 1.6.F (“*Tableau synthèse des effectifs pertes des biens Beni*”) is a synthesizing table relating to the total numbers of property items allegedly lost or damaged.

Annexes 1.7 to 1.10.F are organized in the same way but for the other regions: Annexes 1.7 to 1.7.F relate to Butembo; Annexes 1.8 to 1.8.F relate to Gemena; Annexes 1.9 to 1.9.F relate to Ituri; and Annexes 1.10 to 1.10.F relate to Kisangani.

1.11 The most important of these annexes are the valuation lists, which purport to aggregate the valuations derived from the victim identification forms to determine the amount of reparation the DRC claims, at least for some of its claims.<sup>16</sup>

---

<sup>16</sup> See, e.g., DRCM, paras. 7.45-7.46.

1.12 The valuation lists contain a total of 8,930 entries. Each entry ostensibly captures the valuation of the harm reflected in a victim identification form<sup>17</sup> or an entry in a handwritten claims table. (There are more entries in the valuation lists than there are victim identification forms largely because some forms claim more than one type of harm, such as personal injury and property damage.)

1.13 The electronic file name of the victim identification form (or handwritten claims table<sup>18</sup>) is listed in the top-right corner of each entry on the valuation lists. For example, the first entry of the valuation list for deaths in Beni, Annex 1.6, is as follows:

|                                    |                            |                                 |
|------------------------------------|----------------------------|---------------------------------|
| <b>DECLARANT: KANDONGO BISIKWA</b> |                            | <b>BENI_CCF05032016 (2)_027</b> |
| <b>N° NOM VICTIME</b>              | <b>EVALUATION CHIFFREE</b> |                                 |
| 1 NON SIGNALE                      | 19845.0                    |                                 |
| <b>Total Partiel:</b>              |                            | <b>19845.0 \$</b>               |

**Annex 1.6 (*Evaluation décès Beni*)**  
**Entry 1 (Page 1)**

1.14 The file name of the victim identification form corresponding to this entry is: “BENI\_CCF05032016 (2)\_027”. In this case, the form may be found in Annex 1.1 (*Fiches d’identification de BENI*).

---

<sup>17</sup> A single victim identification form may be summarized on different valuation lists if, for example, there are multiple types of harm (death, personal injury, displacement, property loss or damage) alleged on a single victim identification form.

<sup>18</sup> For simplicity, and since the large majority of entries are based on a victim identification form rather than a handwritten claims table, the remainder of these Comments on the DRC’s Response to Question 1 will refer only to “victim identification forms” to encompass both such forms and handwritten claims tables.

B. UGANDA’S METHODOLOGY IN ANALYSING THE ANNEXES

1.15 Uganda has undertaken to determine whether or not the DRC’s victim identification forms “*demonstrate and prove the exact injury* that was suffered as a result of *specific actions* of Uganda constituting internationally wrongful acts for which it is responsible”.<sup>19</sup> Specifically, Uganda sought to verify whether the entries on the valuation lists are supported by the underlying victim identification forms.

1.16 In light of the limited time available to it, Uganda decided to sample every tenth entry on each valuation list (i.e., entries 1, 11, 21, 31, etc.) and examine the underlying victim identification form.<sup>20</sup> All of these sampled entries, along with the corresponding file names of the underlying victim identification forms, are listed in Appendix 1 (for deaths), Appendix 2 (for displacements), Appendix 3 (for personal injuries) and Appendix 4 (for property loss or damage). In the end, Uganda examined 904 out of the 8,930 total entries on the DRC’s valuation lists. Below are the number of entries sampled for each of the DRC’s 20 valuation lists:

|             | <b>Deaths</b> | <b>Displacements</b> | <b>Personal Injuries</b> | <b>Property Loss or Damage</b> | <b>Total</b> |
|-------------|---------------|----------------------|--------------------------|--------------------------------|--------------|
| <b>Beni</b> | 30 of 292     | 45 of 446            | 14 of 133                | 84 of 836                      | 173 of 1,707 |

---

<sup>19</sup> *Armed Activities* (2005), para. 260 (emphasis added).

<sup>20</sup> Uganda based its sample on the valuation lists, not on the victim identification forms, because, as the DRC itself admitted, the victim identification forms in Annexes 1.1 to 1.5.1 are not all relevant to the present proceedings, and thus were not all included in the valuation lists. DRCRQ, para. 1.9. Moreover, as mentioned above, Annexes 1.1 to 1.5.1 contain many stray documents, so it would have been very difficult to create appropriate samples on the basis of the files in those annexes.



|                  |              |              |           |              |              |
|------------------|--------------|--------------|-----------|--------------|--------------|
| <b>Butembo</b>   | 3 of 28      | 9 of 90      | 8 of 72   | 23 of 221    | 43 of 411    |
| <b>Gemena</b>    | 1 of 2       | 2 of 12      | 1 of 6    | 2 of 18      | 6 of 38      |
| <b>Ituri</b>     | 75 of 747    | 104 of 1,040 | 15 of 143 | 132 of 1,311 | 326 of 3,241 |
| <b>Kisangani</b> | 40 of 391    | 32 of 313    | 43 of 427 | 241 of 2,402 | 356 of 3,533 |
| <b>Total</b>     | 149 of 1,460 | 192 of 1,901 | 81 of 781 | 482 of 4,788 | 904 of 8,930 |

### **Number of Entries Examined in Sample**

1.17 Uganda’s examination of these 904 entries and underlying victim identification forms revealed three main problems: (1) many of the victim identification forms are missing (**Section I(C)**); (2) the forms fail to provide any supporting evidence (**Section I(D)**); (3) the forms do not contain essential information (**Section I(E)**).

#### C. MANY VICTIM IDENTIFICATION FORMS ARE MISSING

1.18 The first problem is that many of the victim identification forms referenced in the DRC’s valuation lists are not included among the annexes it has produced. Among the 904 entries that Uganda examined, the victim identification forms for 166 of them (18.4%) are missing. This happened in five types of situations.

1.19 *First*, the entries on one of the valuation lists, Annex 1.6.B (“*Evaluation lésions Beni*”), did not indicate the associated file names for its entries. Uganda was nevertheless able to determine the corresponding victim identification forms for all the entries sampled from Annex 1.6.B except one.<sup>21</sup> That one form remains missing.

1.20 *Second*, Uganda discovered that there are many entries that list file names that do not correspond to any file in the relevant annex. Uganda found this to be the case for 119 (13.2%) of the 904 entries sampled.<sup>22</sup> For example, the 91st entry in Annex 1.9 (“*Evaluation décès Ituri*”) lists the file name “ITURI\_SUITE3\_CCF07032016\_0008\_144 - COPIE”, but no file with this name can be found in Annex 1.4 (“*Fiches d’identification de ITURF*”) (or anywhere else).

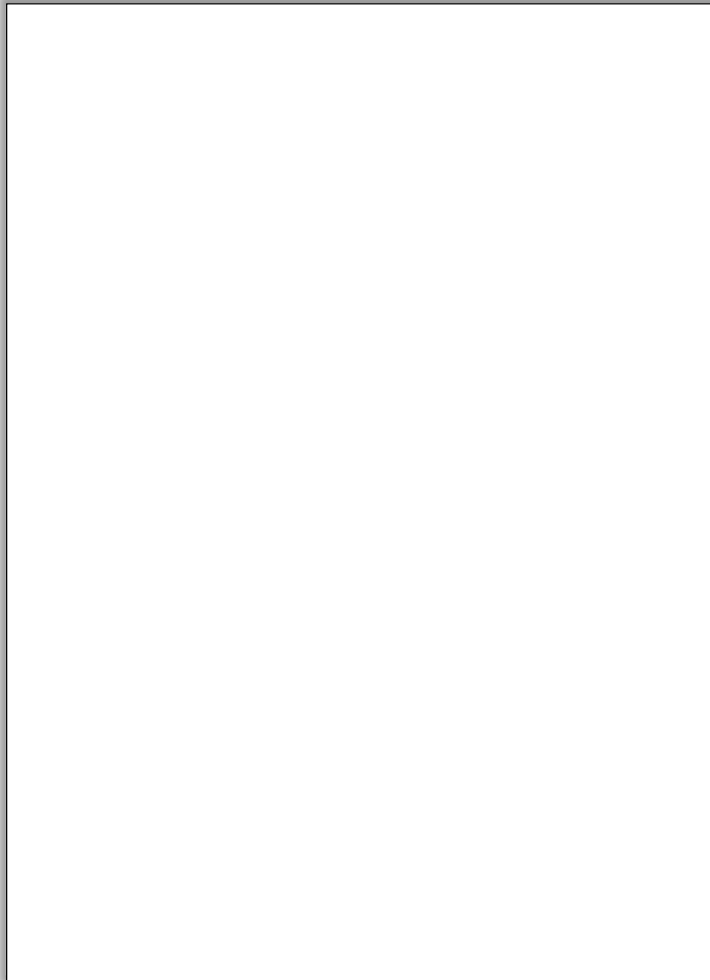
1.21 *Third*, Uganda discovered three entries that list file names that correspond to blank files.<sup>23</sup> For example, the 141st entry in Annex 1.9 (“*Evaluation décès Ituri*”) lists the file name “ITURI\_SUITE4\_CCF07032016\_0008\_012”, but this is the file with that name from Annex 1.4 (“*Fiches d’identification de ITURF*”):

---

<sup>21</sup> Uganda determined the corresponding victim identification forms for these entries by searching the names of the declarants in the valuation lists for other types of injuries, as these declarants had claimed more than just personal injury harms.

<sup>22</sup> The file names for these entries are listed in Appendix 5.

<sup>23</sup> The file names listed for these entries are (from DRCRQ Annex 1.4):  
ITURI\_SUITE4\_CCF07032016\_0008\_012; ITURI\_SUITE4\_CCF07032016\_0007\_245;  
ITURI\_SUITE4\_CCF07032016\_0007\_209.



**Annex 1.4**  
**File “ITURI\_SUITE4\_CCF07032016\_0008\_012”**

1.22 *Fourth*, there were 19 entries that list file names corresponding to the wrong victim identification form.<sup>24</sup> For example, the 261st entry in Annex 1.10.A

---

<sup>24</sup> The file names listed for these entries are: BENI\_CCF05032016\_0005 (2)\_137 (DRCRQ Annex 1.1); ITURI\_SUITE4\_CCF07032016\_0007\_176 (DRCRQ Annex 1.4); ITURI\_SUITE3\_CCF07032016\_0012\_010 (DRCRQ Annex 1.4); CCF22082016\_0057\_004 (DRCRQ Annex 1.2); CCF22082016\_0038\_004 (DRCRQ Annex 1.2); CCF22082016\_0015\_004 (DRCRQ Annex 1.2); CCF22082016\_0051\_006 (DRCRQ Annex 1.2); ITURI\_SUITE7\_CCF08032016\_004 (DRCRQ Annex 1.4); OUGANDA 34 (DRCRQ Annex 1.5.1); KISANGANI\_SUITE2\_CCF06032016\_0003 (2)\_044 (DRCRQ Annex 1.5); CCF22082016\_0057\_004 (DRCRQ Annex 1.2); CCF22082016\_0034\_002 (DRCRQ Annex 1.2); CCF22082016\_0007\_002 (DRCRQ Annex 1.2); CCF22082016\_0013\_008 (DRCRQ Annex 1.2);

(“*Evaluation fuite Kisangani*”) states that the declarant’s name is Mbunga Raphael and that he was a victim of displacement. The entry lists the corresponding file name as “KISANGANI\_SUITE2\_CCF06032016\_0003 (2)\_044”. Yet the victim identification form in that file states that the declarant’s name is Kisubi Luz Nguluma and does not allege any displacement. Screenshots of the entry on the valuation list and the victim identification form are reproduced below.

|                           |   |
|---------------------------|---|
| DECLARANT: MBUNGA RAPHAEL | KISANGANI_SUITE2_CCF06032016_0003 (2)_044 |
| N° NOM VICTIME            | EVALUATION CHIFFREE                       |
| 1 MBUNGA RAPHAEL          | 2013.0                                    |
| Total Partiel: 2013.0 \$  |   |

**Annex 1.10.A (*Evaluation fuite Kisangani*)**  
**Entry 261 (Page 21)**

---

CCF22082016\_0021\_002 (DRCRQ Annex 1.2); CCF22082016\_0007\_008 (DRCRQ Annex 1.2); CCF22082016\_0054\_008 (DRCRQ Annex 1.2); CCF22082016\_0057\_004 (DRCRQ Annex 1.2); CCF22082016\_0058\_003 (DRCRQ Annex 1.2).

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de la  
 guerre d'agression par l'Ouganda

FORMULAIRE A

Dossier n° \_\_\_\_\_

FICHE D'IDENTIFICATION DE LA VICTIME

> PERSONNE PHYSIQUE

|   |  |                      |                  |         |
|---|--|----------------------|------------------|---------|
| 1. Nom, Post-nom (Prénom)                   | Kisubi Luz   |                      | Sumom            | Nguluma |
| 2. Sexe                                     | Masculin   | Ethnie               | Babali           |         |
| 3. Lieu et date de naissance                | Bafwamulu Le 30/08/1925  |                      |                  |         |
| 4. Noms du père                             | Risasi   | et de la mère        | Bogandolo        |         |
| 5. Originaire du Village                    | Bimundulu  | Groupement           | Bitende          |         |
| Territoire                                  | Bafwasende   | District             | Tshopo           |         |
|   |  | Secteur (Chef-lieu)  | Bekeni-Konde     |         |
|   |  | Prov.                | Orientale        |         |
| 6. Etat civil (Mariage - Divorcé - Veuf/ve) | Sicapata   |                      |                  |         |
| 7. Profession                               | Enseignant pensionné   |                      |                  |         |
|   | (Si possible, nom ou dénomination et adresse de l'employeur)             |                      |                  |         |
| 8. Domicile Résidence                       | AV. Boraka n° 70 Commune Lubunga   |                      |                  |         |
| 9. Dommages subis :                         |  |                      |                  |         |
|   | Nature   | Date                 | Auteurs présumés |         |
| 1° Fuite dans la forêt :                    | —  |                      | Ougandais        |         |
| 2° Perte des biens :                        | —  | GUERRE<br>de 6 jours |                  |         |
| 3° Préjudices corporels graves              | Kisubi NGuluma blessé grave est hospitalisé à la poitrine par les éclats |                      |                  |         |
| 4° Décès d'obus                             | —  |                      |                  |         |

Annex 1.5 (Fiches d'identification de KISANGANI)

File "KISANGANI\_SUITE2\_CCF06032016\_0003 (2)\_044"

1.23 Fifth, 24 of the surveyed entries list file names that correspond to a page other than the first page of what appears to be a multi-page victim identification

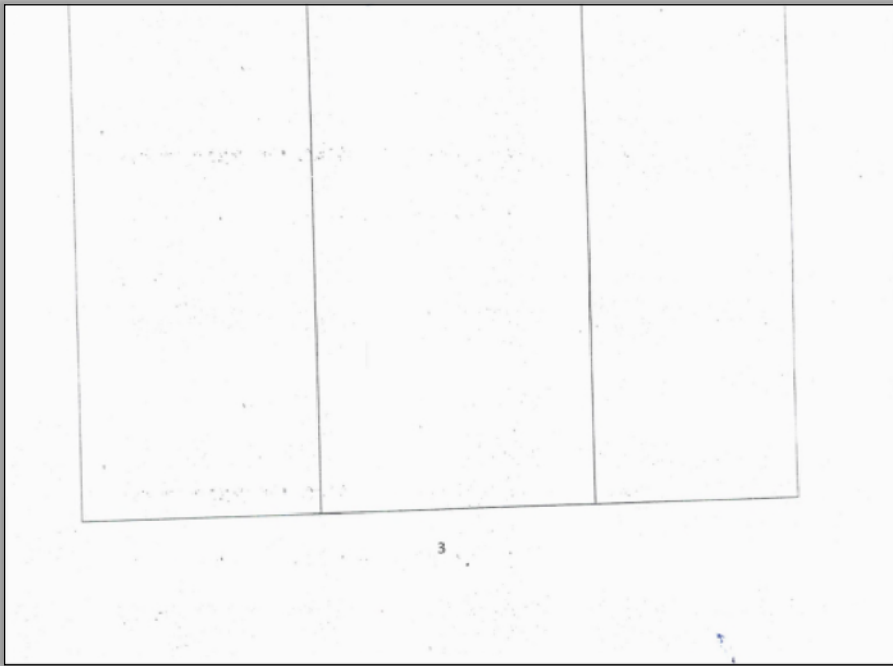
form.<sup>25</sup> This makes it impossible to verify whether the form genuinely corresponds to the entry in question. For example, the 1421st entry in Annex 1.10.C (“*Evaluation pertes des biens Kisangani*”) claims US\$ 11,010 in reparations. Yet the corresponding victim identification form (if that’s what it is) is the blank bottom half of a page bearing the number “3”:

| VICTIME : ALI BIN FEROUZI |                    |               | CCF22082016_0032_004 |            |
|---------------------------|--------------------|---------------|----------------------|------------|
| N°                        | LIBELLE BIEN       | PRIX UNITAIRE | QUANTITE             | PRIX TOTAL |
| 1                         | CONGELATEUR        | 600.0         | 1                    | 600.0      |
| 2                         | EPONGE             | 80.0          | 2                    | 160.0      |
| 3                         | HABITATION MOYENNE | 5000.0        | 1                    | 5000.0     |
| 4                         | MEUBLE             | 5000.0        | 1                    | 5000.0     |
| 5                         | TELEVISION         | 250.0         | 1                    | 250.0      |
| Total Partiel:            |                    |               |                      | 11010.0\$  |

***Annex 1.10.C (Evaluation pertes des biens Kisangani)  
Entry 1421 (Page 7)***

---

<sup>25</sup> The file names listed for these entries are (from DRCRQ Annex 1.2): CCF22082016\_0051\_004;  
 CCF22082016\_0054\_002; CCF22082016\_0036\_002; CCF22082016\_0006\_004;  
 CCF22082016\_0016\_002; CCF22082016\_0016\_004; CCF22082016\_0008\_004;  
 CCF22082016\_0054\_006; CCF22082016\_0045\_002; CCF22082016\_0034\_002;  
 CCF22082016\_0041\_004; CCF22082016\_0045\_002; CCF22082016\_0056\_002;  
 CCF22082016\_0051\_002; CCF22082016\_0016\_006; CCF22082016\_0017\_002;  
 CCF22082016\_0032\_004; CCF22082016\_0007\_006; CCF22082016\_0051\_026;  
 CCF22082016\_0041\_004; CCF22082016\_0005\_004; CCF22082016\_0050\_002;  
 CCF22082016\_0010\_002; CCF22082016\_0044\_002.



***Annex 1.5 (Fiches d'identification de KISANGANI)  
File "CCF22082016\_0032\_004"***

1.24 With respect to entries affected by one of these five defects, Uganda was unable to verify whether or not the entry on the valuation list was supported by the underlying victim identification form. As a result, Uganda was only able to examine the underlying victim identification form for the other 738 entries sampled.<sup>26</sup>

**D. THE VICTIM IDENTIFICATION FORMS FAIL TO PROVIDE  
ANY SUPPORTING EVIDENCE**

1.25 Among these 738 victim identification forms sampled, *none* provide *any* supporting documentation for the assertions stated. As stated, Annexes 1.1 to 1.5.1

---

<sup>26</sup> This figure includes 135 (of 149) sample entries for deaths, 187 (of 192) sample entries for displacements, 62 (of 81) sample entries for personal injuries, and 354 (of 482) sample entries for property loss or damage.

do contain some stray files, some of which could potentially have been submitted as evidence. But those files are not connected to any victim identification form, thus rendering them useless as evidence.

1.26 For example, a file in Annex 1.1 (“*Fiches d’identification de BENI*”) contains the vehicle registration card shown below:

| IDENTIFICATION DU VEHICULE - SUITE   |              | IDENTIFICATION DU PROPRIETAIRE |  |
|--|--------------|--------------------------------|--|
| MARQUE   | TOYOTA       | NOM ET PRENOM                  | MOHAMMED ABDELRAHMAN MOHAMMED                                    |
| TYPE OU MODELE   | LAND CRUISER | ADRESSE                        | BOULEVARD EL DOKKI   |
| GENRE  | VAN          | DATE DE L'ENREG.               | 26/11/00   |
| N° CHASSIS   | 150107       | USAGE                          | U1   |
| ANNEE DE FABR.   | 2000         | N° PROPRIETAIRE                | M  |
| SPECIFICATION DU VEHICULE  |              | AUTRES INFORMATIONS            |  |
| POIDS CHASSIS CAB  |              | DATE DE PREMIERE MISE EN CIRC. |  |
| POIDS DE LA CARROS.  |              | N° D'IMMATRICULATION PRECEDENT | -  |
| POIDS TOTAL  |              | SCEAU HUMIDE                   |  |
| CYLINDREE TOTALE   |              | SIGNATURE DU PROPRIETAIRE      | M. Mouna Douni<br>Fonctionnaire des Douanes<br>Chargé de Service |
| PUISSANCE FISCALE  | 14 CV        | SIGNATURE DU RECEVEUR          |  |
| REMARQUES IMPORTANTES  |              |                                |  |
| <p><small>En cas de vente du véhicule, l'acheteur et le vendeur doivent en faire obtenir la déclaration dans le bulletin au Bureau des Douanes ou l'acheteur à sa résidence principale. Ces déclarations doivent être remises de la main à la main ou être adressées par lettre recommandée, au Fonctionnaire précisé à celle de l'acheteur, dont être joint le présent certificat, aux fins de validation. Les données propriétaires du vendeur au début et de l'acheteur au receveur sont exigées en cas de vente.</small></p> |              |                                |  |

**Annex 1.1 (*Fiches d’identification de BENI*)  
File “BENI\_SUITE2\_CCF08032016\_0007\_057”**

1.27 If presented with appropriate context, this could potentially constitute an element of proof. It is not clear, however, whether the file corresponds to a victim identification form and, if so, which one.

1.28 Even if one could identify which stray document goes with which form, the fact that there are only 890 stray files for 4,645 victim identification forms and 230 handwritten claims tables only underscores the extent to which the claims are unsupported by corroborating evidence.

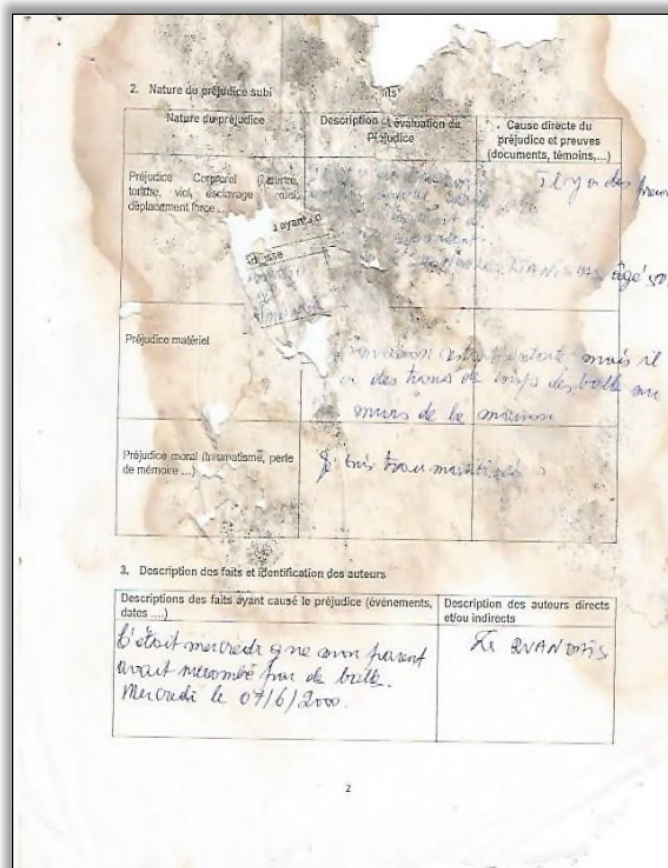


E. THE VICTIM IDENTIFICATION FORMS DO NOT CONTAIN THE NECESSARY INFORMATION

1.29 The victim identification forms not only fail to *prove* the information necessary to support a claim for reparation, they do not even *allege* the necessary information.

1. Many Victim Identification Forms Are Not Legible

1.30 In some cases, this is because the forms are not legible. This is the case in particular for forms that are physically damaged. Take the file below for example:



**Annex 1.5.1 (Fiches Complémentaires des victimes de KISANGANI)  
File “OUGANDA 19”**

1.31 This file appears to be the second page of a multi-page victim identification form. However, the physical damage makes it impossible to make out the allegations stated. Nor is it possible to know to what form it might be related.

2. Many Victim Identification Forms Fail to Allege a Specific Wrongful Action Attributable to Uganda that Caused the Alleged Injury

1.32 In addition, many victim identification forms also fail to allege a specific wrongful action attributable to Uganda that caused the injury claimed. This is largely due to the design of the victim identification form. As seen below, it asks for the “damages incurred” (“*dommages subis*”), the “nature” (“*nature*”) of the injury, the relevant “date” (“*date*”), and the “presumed perpetrator” (“*auteurs présumés*”), but it does not ask the declarant to specify the action that caused the injury in question.

Le Procureur de la République  
 TUPA KAMANGO

Dossier n° OICHA/BENI

FORMULAIRE A

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > PERSONNE PHYSIQUE

| 1. Nom, Post-nom (Prénom) : KASONGO ESPERANCE                  |                       |                            |
|--|-----------------------|----------------------------|
| Surnom : MANGONDA  |                       |                            |
| 2. Sexe : F  | Ethnie : LUBA         |                            |
| 3. Lieu et date de naissance : KISANGANI 25-5-79               |                       |                            |
| Nom du père : KISSI NGANDA                                     |                       | et de la mère : ANI FA     |
| 5. Village d'origine : TSHALONA                                | Groupement : TSHALONA | Secteur/Chefferie : MUKULO |
| Territoire : KANIAMA   | District : MUKULO     | Province : KATANGA         |
| 6. Etat-civil : Célibataire - Marié(e) - Divorcé(e) - Veuf(ve) |                       |                            |
| 7. Profession : L'EMPLOYE                                      |                       |                            |
| (Si possible, nom ou dénomination et adresse de l'employeur)   |                       |                            |
| 8. Domicile/Résidence : OICHA - MRS - SITE - BAKANZA           |                       |                            |
| 6. Dommages subis : 15.000 \$                                  |                       |                            |
| Nature   | Date                  | Auteurs présumés           |
| 1° Fuite dans la forêt : <input checked="" type="checkbox"/>   |                       | Soldat Ugandais            |
| 2° Perte des biens : TOUS                                      | Jan 2003              | UPDF                       |
| 3° Préjudices corporels graves :                               |                       |                            |
| 4° Décès : 3 PERSONNE  |                       |                            |

7. Lieu et date d'identification :

OICHA le 8-10-2009

Signatures :

|  |   |                         |
|--|---|-------------------------|
| Nom Enquêteur : BAYA - NGUYA           | Fonction officielle : OPI               | Signature : [Signature] |
| Nom du Déclarant : KASONGO - ESPERANCE | Profession : COMMERÇANTE                | Signature : [Signature] |
| Nom Interprète :                       | Profession :                            | Signature :             |
| Autre personne présente : BOLOYO KENDO | Profession : COORDINATRICE DES DEPLACES | Signature : [Signature] |

Annex 1.1 (Fiches d'identification de BENI)  
 File "BENI\_CCF05032016 (2)\_024"

1.33 The result is that, as seen in the example above, the people filling out the form tended not to specify the action of which they are complaining. Among the 738 victim identification forms sampled, Uganda found that only 62 (8.4%) specified the action in question.<sup>27</sup>

1.34 Another prevalent flaw concerns attribution. Among the 738 forms sampled, 246 (33.3%) of them do not even allege that the “*auteurs présumés*” is Uganda or Ugandan soldiers.<sup>28</sup> These forms instead allege that the perpetrators were Rwanda, an irregular force, or another actor. Take, for example, the 1871st entry on the valuation list in Annex 1.10.C (“*Evaluation pertes des biens Kisangani*”). That entry points to the file “KISANGANI\_SUITE1\_CCF06032016\_0009\_028”, reproduced below:

---

<sup>27</sup> The file names of these forms are listed in Appendix 6.

<sup>28</sup> The file names of these forms are listed in Appendix 7.

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de la  
guerre d'agression par l'Ouganda

Dossier n° : .....

FORMULAIRE A

**FICHE D'IDENTIFICATION DE LA VICTIME**

➤ PERSONNE PHYSIQUE

| 1. Nom, Post-nom (Prénom) <i>N.ROY DILLONSO Rodolphe</i>   |                                | Surnom .....                       |
|--|--------------------------------|------------------------------------|
| 2. Sexe <i>M. (MASCULIN)</i>   | Ethnie <i>BALUBA</i>           |                                    |
| 3. Lieu et date de naissance : <i>ANKORO le 10/05/1937</i>   |                                |                                    |
| 4. Noms du père : <i>DENGA</i>   |                                | et de la mère <i>N. KULLU</i>      |
| 5. Originaire du Village : <i>ANKORO</i>   | Groupement : <i>KADDAKINDO</i> | Secteur (Chefferie) <i>KATANGA</i> |
| Territoire : <i>FRANONO</i>  | District : <i>TANGANYIKA</i>   | Province <i>KATANGA</i>            |
| 6. Etat civil (Célibataire - Marié - Divorcé(e) - Veuf(ve) <i>MARIÉ à KALONDA Julienne</i>   |                                |                                    |
| 7. Profession <i>Chauffeur mécanicien</i>  |                                |                                    |
| (Si possible, nom ou dénomination et adresse de l'employeur)   |                                |                                    |
| 8. Domicile/Résidence : <i>7<sup>e</sup> Avenue n° 14 COLOMBE T. &amp; HOTEL</i>   |                                |                                    |
| 9. Dommages subis :  |                                |                                    |
| Nature   | Date                           | Auteurs présumés                   |
| 1 <sup>o</sup> Fuite dans la forêt :<br><i>05 au 10/06/2000</i>  | <i>05 au 10/06<br/>2000</i>    | <i>Militaires Rwandais</i>         |
| 2 <sup>o</sup> Perte des biens :<br><i>Maisons endommagées<br/>10 files tronçés<br/>24 Chevrons<br/>2 Matelas<br/>2 Vélos, 2 Radio</i> | <i>guerre de<br/>ni fans</i>   |                                    |
| 3 <sup>o</sup> Préjudices corporels graves :   |                                |                                    |
| 4 <sup>o</sup> Décès :   |                                |                                    |

**Annex 1.4 (Fiches d'identification de KISANGANI)**

**File "KISANGANI\_SUITE1\_CCF06032016\_0009\_028"**

1.35 The person filling out the form indicates that the "auteurs présumés" is "militaires Rwandais". In its response to Question 1, the DRC acknowledges that

Annexes 1.1 and 1.5 contain some forms that allege Rwanda was the perpetrator, but says that they “were not taken into account in the evaluation submitted by the DRC in this case”.<sup>29</sup> This example shows the contrary, however. The entry in the valuation list corresponding to this victim identification form indicates that the DRC is seeking US\$ 5,580 from Uganda for the actions of Rwanda.

1.36 Another example is the 71st entry on the valuation list in Annex 1.9 (“*Evaluation décès Ituri*”). The entry refers to the file “ITURI\_SUITE\_CCF05032016\_0015 (3)\_156”, seen below:

---

<sup>29</sup> DRCRQ, para. 1.9 (Translation by Counsel, original in French: “n’ont pas été pris en compte dans l’évaluation présentée par la RDC dans cette cause”).



FORMULAIRE A

Dossier n°

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > PERSONNE PHYSIQUE

1. Nom, Post-nom (Prénom) : S. DJANGA NDJALO  
 Surnom : LAURENT  
 2. Sexe : M Ethnie : MUHEMA INORD  
 3. Lieu et date de naissance : L.I.T.U.R.I. LE 24.04.1962  
 4. Nom du père : DHEMA NENE (D) et de la mère : BUSI NZIDAGA  
 5. Village d'origine : DOGBE Groupement : BUSI Secteur/Chefferie : B. MARD  
 Territoire : ITURI District : ITURI Province : ORIENTALE  
 6. Etat-civil : Célibataire - Marié(e) - Divorcé(e) - Veuf(ve)  
 7. Profession : MAÇON à L'ISPIBUNIA  
 (Si possible, nom ou dénomination et adresse de l'employeur)  
 8. Domicile/Résidence : VILLE DE BUISSA, QUARTIER MUZIPELA  
 6. Dommages subis : AV. SINGOMA N°13

| Nature  | Date                 | Auteurs présumés  |
|---|----------------------|-------------------|
| 1° Fuite dans la forêt :  |                      |                   |
| 2° Perte des biens :  |                      |                   |
| 3° Préjudices corporels graves :                                      |                      |                   |
| 4° Décès : <u>NDJABU ET BUNU</u><br><u>DOMMAGE D'INTERER 80.000\$</u> | <u>Le 03/16/2003</u> | <u>SALUM-SALE</u> |

7. Lieu et date d'identification : Q/MUZUPELA, LE 09/10/2008

Signatures : [Signature]

|   |   |                                |
|---|---|--------------------------------|
| Nom Enquêteur : <u>KA LANGA</u>           | Fonction officielle : <u>IAS. GJ</u>    | Signature : <u>[Signature]</u> |
| Nom du Déclarant : <u>SODJANGA-NDJALO</u> | Profession : <u>MAÇON à L'ISPIBUNIA</u> | Signature : <u>[Signature]</u> |
| Nom Interprète :                          | Profession :                            | Signature :                    |
| Autre personne présente :                 | Profession :                            | Signature :                    |

**Annex 1.4 (Fiches d'identification de ITURI)**  
**File "ITURI\_SUITE\_CCF05032016\_0015 (3)\_156"**

1.37 The person filling out this form indicates that the "auteurs présumés" is simply "SALUM-SALE", without any indication of who that is.

1.38 Many other forms allege that the "auteurs présumés" is an irregular force. However, in its 2005 Judgment, the Court did not find the conduct of any irregular

forces attributable to Uganda.<sup>30</sup> And although the Court found Uganda responsible for failing to ensure respect for human rights and international humanitarian law in Ituri,<sup>31</sup> none of the forms complaining of the actions of irregular forces in Ituri allege that the actions were the result of Uganda's failure in this regard.

1.39 In its response to Question 8, the DRC lists the irregular forces for whose acts the DRC is claiming compensation from Uganda.<sup>32</sup> Yet many of the forms allege that the "*auteurs présumés*" is an irregular force *not* included in the DRC's list. For example, some forms complain of the actions of Ngiti combatants, such as the one below:

---

<sup>30</sup> See UCM, para. 1.6.

<sup>31</sup> *Armed Activities* (2005), para. 345(3); see UCM, para. 1.6.

<sup>32</sup> DRCRQ, para. 8.5.



**REPUBLIQUE DEMOCRATIQUE DU CONGO**  
**MINISTRE DE LA JUSTICE ET DROITS HUMAINS**  
**Cabinet du Ministre**  
*Commission d'Evaluation du Préjudice subi par la R.D.C. lors de la guerre d'agression par l'Ouganda*

  
 Dossier n° .....

**FORMULAIRE A**

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > PERSONNE PHYSIQUE

|  |                                     |                           |
|--|-------------------------------------|---------------------------|
| 1. Nom, Post-nom (Prénom) : .....                              |                                     |                           |
| Surnom : .....   |                                     |                           |
| 2. Sexe : .....  | Ethnie : .....                      |                           |
| 3. Lieu et date de naissance : .....                           |                                     |                           |
| 4. Nom du père : .....   |                                     | et de la mère : .....     |
| 5. Village d'origine : .....                                   | Groupement : .....                  | Secteur/Chefferie : ..... |
| Territoire : .....   | District : .....                    | Province : .....          |
| 6. Etat-civil : Célibataire – Marié(e) – Divorcé(e) – Veuf(ve) |                                     |                           |
| 7. Profession : .....  |                                     |                           |
| (Si possible, nom ou dénomination et adresse de l'employeur)   |                                     |                           |
| 8. Domicile/Résidence : .....                                  |                                     |                           |
| 6. Dommages subis :  |                                     |                           |
|  | Nature                              | Date                      |
| 1°   | Fuite dans la forêt : .....         |                           |
| 2°   | Perte des biens : .....             | 05/02/02                  |
| 3°   | Préjudices corporels graves : ..... | 11                        |
| 4°   | Décès : .....                       |                           |
| 7. Lieu et date d'identification : .....                       |                                     |                           |
| Signature : .....  |                                     |                           |
| Nom Enquêteur : .....  | Fonction officielle : .....         | Signature : .....         |
| Nom du Déclarant : .....                                       | Profession : .....                  | Signature : .....         |
| Nom Interprète : .....   | Profession : .....                  | Signature : .....         |
| Autre personne présente : .....                                | Profession : .....                  | Signature : .....         |

**Annex 1.4 (Fiches d'identification de ITURI)**  
**File "ITURI\_SUITE4\_CCF07032016\_0007\_058"**

1.40 Other forms allege that the "auteurs présumés" are the "APC" and/or the "EFRP" like the one below:



FORMULAIRE A

Dossier n° 002

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > PERSONNE PHYSIQUE

1. Nom, Post-nom (Prénom) : NGANA BO KABOU  
 Surnom : .....

2. Sexe : M Ethnie : B. K. K.

3. Lieu et date de naissance : .....

4. Tom du père : ..... et de la mère : .....

5. Village d'origine : ..... Groupement : ..... Secteur/Chefferie : .....  
 Territoire : ..... District : ..... Province : ORIENTALE

6. Etat-civil : Célibataire - Marié(e) - Divorcé(e) - Veuf(ve)

7. Profession : .....  
 (Si possible, nom ou dénomination et adresse de l'employeur)

8. Domicile/Résidence : .....

6. Dommages subis :

| Nature   | Date              | Auteurs présumés  |
|--|-------------------|-------------------|
| 1° Fuite dans la forêt : <u>BAMANDÉ</u>  | <u>05/11/2002</u> | <u>EFRP + APC</u> |
| 2° Perte des biens :<br>1) 4 maisons = 1000\$<br>2) 3 porc = 240\$<br>3) 10 vache = 100\$<br>4) 4 poules = 100\$<br>5) 4 sacs de maïs = 1800\$ | " " " "           | " " " "           |
| 3° Préjudices corporels graves :   | " " " "           | " " " "           |
| 4° Décès - 2 personnes tués = 2 millions<br>2000\$   | " " " "           | " " " "           |

7. Lien et date d'identification : .....

Signatures : NG

|  |  |                          |
|--|--|--------------------------|
| Nom Responsable : <u>HEURYS DANCKO</u>   | Fonction officielle : <u>OPT en Chef Général</u> | Signature : <u>.....</u> |
| Nom du Déclarant : <u>NGANA BO KABOU</u> | Profession : <u>CULTIVATEUR</u>                  | Signature : <u>NG</u>    |
| Nom Interprète : .....                   | Profession : .....                               | Signature : .....        |
| Autre personne présente : .....          | Profession : .....                               | Signature : .....        |

**Annex 1.4 (Fiches d'identification de ITURI)**  
**File "ITURI\_SUITE\_CCF05032016\_0026\_027"**

1.41 None of the Ngiti combatants, the APC or the EFRP are included in the DRC's response to Question 8 as among the irregular forces for whose conduct the DRC is claiming compensation in this case.

3. Many Victim Identification Forms Fail to Allege the Appropriate Valuation for the Alleged Injury in Question

1.42 Still further, *none* of the sample victim identification forms contain information concerning, let alone proving, the elements necessary to properly value deaths, personal injuries, displacement, or property loss or damage.

a. Death (*Décès*)

1.43 *None* of the sampled victim identification forms for deaths provide the information necessary to properly value a death, i.e., (1) the identity of the victim; (2) the location and date of death; (3) whether the victim was gainfully employed; (4) the victim's earnings; and (5) the loss of the victim's earnings based on his or her life expectancy.<sup>33</sup>

1.44 Most notably, an examination of *all* the entries on the valuation lists relating to deaths (not merely the entries selected for sampling) shows that 4,644 of the 5,440 alleged victims (85.4%) are unidentified. The DRC simply labels them as "*non-signalé*". Among the many problems associated with these entries is that it is entirely possible that two claimants could be referring to the same decedent. Yet one cannot check this in in the absence of the full name of the victim.

1.45 Moreover, 134 of the 135 sampled forms for deaths (99.3%) do not contain any information about the victim's employment,<sup>34</sup> and 122 (90.4%) do not contain information about the victim's age.<sup>35</sup>

---

<sup>33</sup> UCM, para. 5.9.

<sup>34</sup> The file names of these forms are listed in Appendix 8.

<sup>35</sup> The file names of these forms are listed in Appendix 9.

1.46 The DRC Memorial claimed lump sums of US\$ 34,000 for deaths from deliberate acts of violence (based on alleged Congolese court decisions)<sup>36</sup> and US\$ 18,913 for all other deaths (based on a mathematical formula that used age and income as inputs).<sup>37</sup> Yet, of the forms Uganda sampled, all but one (99.3%) do not specify whether the death resulted from deliberate acts of violence or not.<sup>38</sup>

1.47 Moreover, the DRC's valuation lists do not reflect either of the methodologies the DRC claimed to have used in its Memorial. Instead, it assigns what appear to be completely random values to the alleged deaths. Take, for example, the screenshot below from the second page of Annex 1.6:

---

<sup>36</sup> DRCM, paras. 7.12-7.13.

<sup>37</sup> DRCM, paras. 7.09, 7.14.

<sup>38</sup> The file names of these forms are listed in Appendix 10.

|                                       |   |
|---------------------------------------|---|
| DECLARANT: <b>KAMATHE KITSA</b>       | <b>BENI_CCF05032016_0008_020</b>        |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 KAVUGHO                             | 19845.0                                 |
| Total Partiel: 19845.0 \$             |   |
| DECLARANT: <b>KAMBALE SIVAVUYIRWA</b> | <b>BENI_SUITE2_CCF08032016_0001_081</b> |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 NON SIGNALE                         | 5205.0                                  |
| Total Partiel: 5205.0 \$              |   |
| DECLARANT: <b>KASEREKA MUMBESA</b>    | <b>BENI_CCF05032016_0006 (2)_114</b>    |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 PALUKU MUMBESA                      | 19845.0                                 |
| Total Partiel: 19845.0 \$             |   |
| DECLARANT: <b>KASEREKA MUTSUVA</b>    | <b>BENI_CCF05032016 (2)_051</b>         |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 NON SIGNALE                         | 19845.0                                 |
| Total Partiel: 19845.0 \$             |   |
| DECLARANT: <b>KASWERA MUHINDO</b>     | <b>BENI_SUITE2_CCF08032016_057</b>      |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 ELIZE KAKULE                        | 122890.0                                |
| Total Partiel: 122890.0 \$            |   |
| DECLARANT: <b>KATHUNGU MAKUKU</b>     | <b>BENI_SUITE2_CCF08032016_0004_096</b> |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 NON SIGNALE                         | 141922.0                                |
| Total Partiel: 141922.0 \$            |   |
| DECLARANT: <b>KATUNGU MBAYIRINDI</b>  | <b>BENI_CCF05032016_0010_036</b>        |
| N° <i>NOM VICTIME</i>                 | <i>EVALUATION CHIFFREE</i>              |
| 1 MUHINDO THAWITE                     | 122890.0                                |
| Total Partiel: 122890.0 \$            |   |

**Annex 1.6 (*Evaluation décès Beni*)**  
**Screenshot of Page 2**

1.48 The first, third, and fourth entries value the death in question at the same lump sum amount: US\$ 19,845. It is not clear where this figure comes from; the underlying victim identification forms provide no indication.

1.49 The second entry values the death at a much lower amount: US\$ 5,205. An examination of the underlying victim identification form shows nothing that would suggest a lower value: it simply says “*I frère tué*”.

1.50 The fifth, sixth, and seventh forms then value the deaths in question at much higher amounts: US\$ 122,890, US\$ 141,922 and US\$ 122,890, all of which are notably higher than the largest amount of compensation the DRC claimed had been awarded by Congolese courts for deaths.<sup>39</sup> Once again, nothing in the underlying victim identification form explains these higher amounts.

1.51 It also bears note that the second, fourth and sixth entries all refer to victims who are “*non signalé*”, yet the valuations for the three victims are very different.

1.52 All of this points to only one conclusion: the DRC selected the numbers reflected on its valuation lists at random.

#### b. Personal Injury (*Lésions*)

1.53 Similarly, *none* of the victim identification forms for personal injuries provide the information necessary to properly value those injuries; i.e., (1) the identity of the victim; (2) the location and date of injury; (3) the nature of the injury; (4) whether the victim was gainfully employed; (5) the victim’s earnings;

---

<sup>39</sup> DRCM, para. 7.12 (Translation by Counsel: “The amount of compensation granted by the Congolese courts to the families of the persons killed in the context of the perpetration of serious crimes against international law ranged from US\$ 5,000 to US\$ 100,000; the average sum was US\$ 34,000”, original in French: “Les montants des indemnités octroyées par les juridictions congolaises aux familles des personnes tuées dans le contexte de la perpétration de crimes graves de droit international s’échelonnent entre 5.000 et 100.000 dollars des Etats-Unis, la somme moyenne étant de 34.000 dollars des Etats-Unis”).

(6) the extent to which the injury resulted in a loss of earnings; and (7) the costs of care and other expenses stemming from the injury.<sup>40</sup>

1.54 The victim identification forms for personal injuries identify the victim more frequently than the forms for death do but many still do not. Of all the alleged victims reflected on the valuation lists, 282 of 1,062 victims (26.6%) are unidentified and once again labelled simply as “*non signalé*”. And of the 62 forms sampled for personal injuries, 41 (66.1%) do not allege the extent, nature, and/or type of the victim’s injury,<sup>41</sup> and *none* allege any information about the victim’s earnings.

1.55 In its Memorial, the DRC claimed US\$ 3,500 for “serious injuries” resulting from deliberate violence, US\$ 150 for “minor injuries” resulting from deliberate violence,<sup>42</sup> US\$ 100 for injuries resulting from non-deliberate violence, US\$ 12,600 for “simple rape”, US\$ 23,300 for “aggravated rape”<sup>43</sup> and US\$ 12,000 for the recruitment of a child soldier.<sup>44</sup>

1.56 Like the forms sampled relating to deaths, 37 (59.7%) of the sampled forms relating to personal injuries do not specify whether the injuries alleged resulted from acts of deliberate violence or not.<sup>45</sup> The forms also often do not make clear

---

<sup>40</sup> UCM, para. 6.5.

<sup>41</sup> The file names of these forms are listed in Appendix 11.

<sup>42</sup> DRCM, para. 7.17 (Translation by Counsel, original in French: “blessures lourdes”, “blessures légères”).

<sup>43</sup> DRCM, paras. 7.23-7.24 (Translation by Counsel, original in French: “viols simples”, “viols aggravés”).

<sup>44</sup> DRCM, para. 7.27.

<sup>45</sup> The file names of these forms are listed in Appendix 12.



what is a “serious” versus a “minor” injury, or a “simple” versus an “aggravated” rape.

1.57 Furthermore, as with the valuation lists relating to deaths, the valuation lists relating to personal injuries show substantial deviations from the amounts the DRC claimed in its Memorial. Take, for example, the screenshot below from the fifth page of Annex 1.7.B (“*Evaluation lésions Butembo*”):

|  |                                     |
|--|-------------------------------------|
| <b>DECLARANT:</b> PALUKU KALUME MAYANI | <b>BUTEMBO_CCF04032016_0019_012</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 PALUKU KALUME MAYANI                 | 13500.0                             |
| <b>Total Partiel:</b>                  | <b>13500.0 \$</b>                   |
| <b>DECLARANT:</b> PALUKU LUSENGE KOLO  | <b>BUTEMBO_CCF04032016_0016_005</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 PALUKU LUSENGE KOLO                  | 13500.0                             |
| <b>Total Partiel:</b>                  | <b>13500.0 \$</b>                   |
| <b>DECLARANT:</b> PALUKU MBOWA FLORA   | <b>BUTEMBO_CCF04032016_0002_002</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 PALUKU MBOWA FLORA                   | 13500.0                             |
| <b>Total Partiel:</b>                  | <b>13500.0 \$</b>                   |
| <b>DECLARANT:</b> PALUKU MUKUMBA       | <b>BUTEMBO_CCF04032016_0020_003</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 PALUKU MUKUMBA FERDINAND             | 13500.0                             |
| <b>Total Partiel:</b>                  | <b>13500.0 \$</b>                   |
| <b>DECLARANT:</b> PALUKU TUMBE         | <b>BUTEMBO_CCF04032016_0021_001</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 PALUKU TUMBE KATENDELE               | 13500.0                             |
| <b>Total Partiel:</b>                  | <b>13500.0 \$</b>                   |
| <b>DECLARANT:</b> TSONGO KAVISI        | <b>BUTEMBO_CCF04032016_0006_006</b> |
| <b>N° VICTIME</b>                      | <b>EVALUATION CHIFFREE</b>          |
| 1 KAHINDO MWENGESHALI                  | 17500.0                             |
| <b>Total Partiel:</b>                  | <b>17500.0 \$</b>                   |

**Annex 1.7.B (Evaluation lésions Butembo)**  
**Screenshot of Page 5**



1.58 The first five entries value the injury at a lump sum of US\$ 13,500, a number that differs from all the aforementioned figures. The underlying victim identification form for the first entry simply states under the injury category: “*extorsion coup et blessure*”. There is no indication of what type of “*extorsion*”, “*coup*”, or “*blessure*” occurred, let alone any evidence of such an injury. Nevertheless, the DRC purports to value the injury at an amount greater than that for recruitment of a child soldier and “simple rape”.

1.59 The form underlying the second entry similarly only states under the injury category: “*torture corporelles*”. Again, there is no detail. Even so, the DRC values this “*torture corporelles*” at the same US\$ 13,500. It is also unclear why an “*extorsion coup et blessure*” is valued at the same amount as “*torture corporelles*”. Similar observations apply equally to the remaining entries shown above.

c. Displacement (*Fuite*)

1.60 As for displacement, once again *none* of the sampled forms allege sufficient information to properly value the displacements nominally recorded: (1) the identity of the victim; (2) the location and dates of displacement; (3) whether the victim was gainfully employed; (4) the victim’s earnings; (5) the extent to which the displacement resulted in a loss of earnings.<sup>46</sup>

1.61 A search of the valuation lists relating to displacements reveals that 409 of the 1,146 victims (35.7%) are unidentified; the DRC once again labels them merely as “*non-signalé*”. In addition, 66 of the 187 sampled forms for displacements (35.3%) do not allege the specific location of displacement<sup>47</sup> 181 (96.8%) do not

---

<sup>46</sup> In its Counter-Memorial, Uganda categorized displacement cases under the broader category of personal injury cases. UCM, para. 6.109-6.111. Therefore, the information that must be proven is the same.

<sup>47</sup> The file names of these forms are listed in Appendix 13.

allege the specific dates of displacement,<sup>48</sup> and not one form contains any information about the victim's earnings.

1.62 The DRC Memorial claimed lump sums of US\$ 300 for some displacements and \$100 for others.<sup>49</sup> As discussed in Uganda's Comments to the DRC's response to Question 3, the DRC provides no basis for those valuations. Moreover, the numbers stated in its valuation lists are inconsistent with both claimed amounts. Indeed, they too appear to have been picked at random. Nearly every entry for displacement in Ituri (Annex 1.9.A) is valued at exactly the same US\$ 2,065. And for all other locations—as seen in the screenshot of Annex 1.8.A (“*Evaluation fuite Kisangani*”) below—the DRC tends to use a figure slightly above US\$ 2,000.

---

<sup>48</sup> The file names of these forms are listed in Appendix 14.

<sup>49</sup> DRCM, paras. 7.30-7.31.

|                                       |  |
|---------------------------------------|--|
| <b>DECLARANT: TIKA LOMBO</b>          | <b>KISANGANI_SUITE1_CCF06032016_0011_224</b>     |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 TIKA LOMBO                          | 2013.0   |
| <b>Total Partiel: 2013.0 \$</b>       |  |
| <b>DECLARANT: TSHIBANGU THEOPHILE</b> | <b>KISANGANI_SUITE1_CCF06032016_0019_010</b>     |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 NON SIGNALE                         | 2017.0   |
| 2 NON SIGNALE                         | 2017.0   |
| 3 NON SIGNALE                         | 2017.0   |
| 4 NON SIGNALE                         | 2017.0   |
| 5 NON SIGNALE                         | 2017.0   |
| 6 NON SIGNALE                         | 2017.0   |
| 7 NON SIGNALE                         | 2017.0   |
| 8 NON SIGNALE                         | 2017.0   |
| <b>Total Partiel: 16136.0 \$</b>      |  |
| <b>DECLARANT: TSHOMBA OKAMBA</b>      | <b>KISANGANI_SUITE1_CCF06032016_0018_010</b>     |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 TSHOMBA OKAMBA                      | 2013.0   |
| <b>Total Partiel: 2013.0 \$</b>       |  |
| <b>DECLARANT: TSHUMA MOLOMBO</b>      | <b>KISANGANI_SUITE2_CCF06032016_0005_038</b>     |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 TSHUMA MOLOMBO                      | 2013.0   |
| <b>Total Partiel: 2013.0 \$</b>       |  |
| <b>DECLARANT: USENI ADOLPHONSE</b>    | <b>KISANGANI_SUITE2_CCF06032016_0003 (2)_116</b> |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 USENI ADOLPHONSE                    | 2013.0   |
| <b>Total Partiel: 2013.0 \$</b>       |  |
| <b>DECLARANT: WAMBAMBA LIKUNDE</b>    | <b>KISANGANI_SUITE1_CCF06032016_0020_016</b>     |
| <b>N° NOM VICTIME</b>                 | <b>EVALUATION CHIFFREE</b>                       |
| 1 WAMBAMBA LIKUNDE                    | 2013.0   |
| <b>Total Partiel: 2013.0 \$</b>       |  |

**Annex 1.10.A (Evaluation fuite Kisangani)**  
**Screenshot of Page 30**

d. Property Loss or Damage (*Pertes des biens*)

1.63 Finally, *none* of the sampled victim identification forms for property loss or damage provides the information necessary to properly value the property allegedly lost or damaged: (1) identification of the property; (2) the location and date of loss or damage; (3) the extent and nature of the loss or damage; and (4) a

valuation of the loss or damage, such as the fair market value, replacement value or liquidation value.<sup>50</sup> Specifically, 346 of the 354 sampled forms for property loss or damage (97.7%) do not state the extent and/or nature of the loss or damage,<sup>51</sup> 173 (48.9%) do not claim any particular valuation;<sup>52</sup> and 64 (18.1%) do not even indicate the specific type of property lost or damaged.<sup>53</sup>

1.64 On its valuation lists, the DRC employs lump sum amounts for specific types of property, the basis of which is unknown. Take, for example, the following screenshot of Annex 1.6.C (“*Evaluation pertes biens Beni*”):

---

<sup>50</sup> UCM, para. 7.5.

<sup>51</sup> The file names of these forms are listed in Appendix 15.

<sup>52</sup> The file names of these forms are listed in Appendix 16.

<sup>53</sup> The file names of these forms are listed in Appendix 17.

|                                    |                    |                               |          |            |
|------------------------------------|--------------------|-------------------------------|----------|------------|
| VICTIME : MME KABAZUNGU AOSINI     |                    | BENI_CCF05032016_0005 (2)_264 |          |            |
| N°                                 | LIBELLE BIEN       | PRIX UNITAIRE                 | QUANTITE | PRIX TOTAL |
| 1                                  | HABITATION MOYENNE | 1000.0                        | 1        | 1000.0     |
| Total Partiel:                     |                    |                               |          | 1000.0\$   |
| VICTIME : MME KABUGHO KATHUNDA     |                    | BENI_CCF05032016_0007_024     |          |            |
| N°                                 | LIBELLE BIEN       | PRIX UNITAIRE                 | QUANTITE | PRIX TOTAL |
| 1                                  | MEUBLE             | 5000.0                        | 1        | 5000.0     |
| Total Partiel:                     |                    |                               |          | 5000.0\$   |
| VICTIME : MME KABUGHO KAVUTHIRWAKI |                    | BENI_CCF05032016_0010_016     |          |            |
| N°                                 | LIBELLE BIEN       | PRIX UNITAIRE                 | QUANTITE | PRIX TOTAL |
| 1                                  | ARACHIDE(SAC)      | 100.0                         | 1        | 100.0      |
| 2                                  | CANARD             | 15.0                          | 8        | 120.0      |
| 3                                  | HABITS(VALISE)     | 200.0                         | 1        | 200.0      |
| Total Partiel:                     |                    |                               |          | 420.0\$    |
| VICTIME : MME KABUSHO KASONSO      |                    | BENI_CCF05032016_0010_018     |          |            |
| N°                                 | LIBELLE BIEN       | PRIX UNITAIRE                 | QUANTITE | PRIX TOTAL |
| 1                                  | HABITATION LEGERE  | 300.0                         | 3        | 900.0      |
| Total Partiel:                     |                    |                               |          | 900.0\$    |
| VICTIME : MME KABWERA MWENGESIALI  |                    | BENI_CCF05032016_0001 (2)_135 |          |            |
| N°                                 | LIBELLE BIEN       | PRIX UNITAIRE                 | QUANTITE | PRIX TOTAL |
| 1                                  | MEUBLE             | 5000.0                        | 1        | 5000.0     |
| Total Partiel:                     |                    |                               |          | 5000.0\$   |

### Annex 1.6.C (Evaluation pertes biens Beni) Screenshot of Page 30

1.65 The first and fourth entries nominally distinguish between a “*habitation moyenne*” and a “*habitation légère*”. For the first entry, however, the underlying victim identification form simply states under “*Perte des biens*”: “*Tous*”. There is no indication that the victim had a “*habitation*”, let alone a “*habitation moyenne*”. As for the second and fifth entries, the valuation list only labels the property lost as “*meuble*” without further specification, and values them both at US\$ 5,000, five times greater than the “*habitation moyenne*”. What is more, the underlying victim identification form for the second entry actually claims a value for the “*Perte des biens*” of US\$ 500, yet the DRC chose to place a value on it of US\$ 5,000 in the valuation list.

\*

1.66 In conclusion, the DRC's "victim identification forms" fail to provide the evidence necessary to support its reparation claims. Many of the forms are missing and those that are provided are deficient on multiple grounds. Moreover, in many cases, the valuation lists depart significantly from the victim identification forms and assign arbitrary lump sum amounts that have no evident basis. Even without these flaws, the methodology employed by the DRC for collecting and preparing the forms seriously undermine their probative value. As a result, the victim identification forms are of assistance to the DRC.

## **II. Annexes 1.11 and 1.12 Do Not Add Anything to the DRC's Claims**

1.67 Annex 1.11 is a video about some of the Ugandan army's actions in Kisangani. It, however, falls far short of providing the evidence necessary to support the DRC's claims for reparation. Like the victim identification forms, it does not contain any specific evidence proving Uganda's responsibility for causing harm to individuals. The probative value of the video is also questionable. First, the DRC does not explain who produced the video; it very well could have been prepared by the DRC for the purposes of this litigation. Second, the individuals interviewed are not making their statements under oath. Third, the video appears to have been made years after the events in question, thereby further undermining its probative value. On the whole, the video thus suffers from the same basic flaws as the DRC's victim identification forms.

1.68 Annex 1.12 is similarly of no assistance to the DRC. As clearly indicated on the cover, the report was prepared by the DRC itself. Unsurprisingly, the report cites only to sources favourable to the DRC's position. Uganda in its Counter-Memorial already rebutted the sources cited therein, so this newly produced report summarizing those sources has no additional value. Furthermore, the sources cited

must be viewed in light of the UN Mapping Report, which must be considered more objective and authoritative than the sources cited by the DRC.<sup>54</sup>

1.69 Annexes 1.11 and 1.12 therefore do not add anything to the DRC's reparation claims .

---

<sup>54</sup> See, e.g., UCM, paras. 2.53-2.54, 2.56.





## Question 2

*Could the DRC produce evidence to support its estimates for the number of persons killed in direct attacks on civilians, the number of victims of personal injury, and the number of rape victims, in Ituri district, during the period of Uganda's occupation?*

### **Uganda's Comments on the DRC's Response:**

2.1 The DRC's response to Question 2 produces no evidence supporting its estimates for (1) the number of persons killed in direct attacks on civilians; (2) the number of victims of personal injury; or (3) the number of rape victims, in Ituri district, during the period of Uganda's occupation. The DRC's response merely repeats the assertions stated its Memorial based on the same materials already refuted in Uganda's Counter-Memorial. The DRC leaves Question 2 effectively unanswered.

#### **I. The DRC Produces No Evidence Supporting the Number of Persons Killed in Direct Attacks on Civilians**

2.2 The DRC continues to claim that the number of persons killed in direct attacks on civilians in Ituri during the period of Uganda's occupation was 40,000. Yet the DRC produces no evidence to support this number. Indeed, the DRC admits that it arrived at this number *not* by relying on any specific evidence but by making the twin assumptions that 60,000 people were killed in Ituri during Uganda's occupation, and two thirds of this number (i.e. 40,000) were victims of "deliberate violence against civilian populations".<sup>55</sup> Uganda showed in its

---

<sup>55</sup> UCM paras. 5.96-5.115; DRCM paras. 3.23, 3.49, 7.13.

Counter-Memorial why neither of these two assumptions is warranted (or, indeed, even credible).<sup>56</sup>

2.3 All of the sources the DRC cites in its response to Question 2 were also cited in its Memorial. Those sources therefore offer nothing new and only underscore the arbitrariness of the DRC's claim. They either do not mention any numbers or, if they do, they mention significantly lower numbers.<sup>57</sup>

2.4 The DRC's arbitrary numbers are also starkly refuted by its "victim identification forms". As Uganda explained in its comments on Question 1, the DRC produces several thousand forms in hard and electronic copies, organized by region. While the hard copies are not organized by type of injury, the electronic copies are grouped in folders corresponding to deaths, injuries, displacement, and property loss or damage. The DRC also produces tables and lists purporting to summarize the data in different ways. Many of the problems between the forms and the summary tables have been set out in Uganda's comments to Question 1.

---

<sup>56</sup> UCM paras. 5.96-5.115.

<sup>57</sup> The DRC cites the UN Mapping Report (DRCRQ Annex 2.1; DRCM Annex 1.4); the Report of the Special Rapporteur Roberto Garreton (DRCRQ Annex 2.2; DRCM Annex 1.5); the September 2002 Special Report of the Secretary General on MONUC (DRCRQ Annex 2.3.A; DRCM Annex 3.2); the second special report of the Secretary General on MONUC (Annex 2.3.B; DRCM Annex 3.6); the Sixth Report of the UN Secretary-General on MONUC (DRCRQ Annex 2.3.C; DRCM Annex 3.4); the Special Report on Events in Ituri (Jan. 2002-Dec. 2003) (DRCRQ Annex 2.4.B); an IRIN Special Report (DRCRQ Annex 2.4.A; DRCM Annex 3.7); and a Human Rights Watch Report (DRCRQ Annex 2.4.C; DRCM Annex 3.5). None of these reports even purports to state that 40,000 people were killed in direct attacks. They either provide no estimates at all or much lower estimates of the total number of deaths that range from several hundred to the DRC's own contemporaneous *unverified estimate* of 20,000 total deaths. See U.N. Security Council, *Special Report on Events in Ituri (Jan. 2002-Dec. 2003)*, U.N. Doc. S/2004/573 (16 July 2004), paras. 1, 40 (DRCRQ Annex 2.4.B). And even when estimates are given, the reports do not indicate the sources on which they are based. In this respect, Uganda notes that the UN Mapping Report reviewed all of these other sources and, applying a comparatively lax "reasonable suspicion" standard, concluded that the total number of deaths that may have resulted from conduct in which Uganda was involved was approximately 2,300. See UCM, paras. 5.72-5.76.

2.5 In Annex 1.9, captioned “*Evaluation décès Ituri*”, a list purporting to summarize the victim identification forms alleging loss of life in Ituri, 4,164 persons are listed as having been killed. There is, however, nothing in the forms that distinguishes between those allegedly killed as a result of direct violence and those who were not, further confirming the unfounded nature of the DRC’s “two thirds” assumption. It is also striking that the total number of alleged deaths in Ituri reflected in the DRC’s victim identification forms is more than an order of magnitude less than the 60,000 the DRC claims. Moreover, of these 4,164 alleged deaths, 3,827 of the victims are not even identified. The DRC refers to them only as “*non signalé*.” In other words, 92% of the allegedly killed persons are unidentified. As the EECC held, however: “There can be no such assessment in a claim involving huge numbers of hypothetical victims”.<sup>58</sup>

2.6 Reproduced below are pages 5-13 of Annex 1.9, the DRC’s summary table of the information contained in the victim identification forms:

---

<sup>58</sup> *Ethiopia’s Damages Claims, Final Award, Eritrea-Ethiopia Claims Commission, Decision of 17 August 2009*, reprinted in 26 U.N.R.I.A.A. 631 (2009), para. 64.

DECLARANT: **ADIRODU JEAN DE DIEU** ITURI\_SUITE\_CCF05032016\_0015 (3)\_100

N° *NOM VICTIME* EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0

Total Partiel: 119845.0 \$

DECLARANT: **ADRAPI YEROBA** ITURI\_SUITE\_CCF05032016\_0002\_006

N° *NOM VICTIME* EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0  
2 NON SIGNALE 110329.0

Total Partiel: 230174.0 \$

DECLARANT: **ALPHONSE MATABISI** ITURI\_SUITE3\_CCF07032016\_0008\_007 - COPIE

N° *NOM VICTIME* EVALUATION CHIFFREE  
1 NON SIGNALE 118381.0

Total Partiel: 118381.0 \$

DECLARANT: **ANGAIKA** ITURI\_SUITE\_CCF04032016\_0055\_007

N° *NOM VICTIME* EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0  
2 NON SIGNALE 119845.0  
3 NON SIGNALE 119845.0  
4 NON SIGNALE 119845.0  
5 NON SIGNALE 119845.0  
6 NON SIGNALE 119845.0  
7 NON SIGNALE 119845.0  
8 NON SIGNALE 119845.0  
9 NON SIGNALE 119845.0  
10 NON SIGNALE 119845.0  
11 NON SIGNALE 119845.0  
12 NON SIGNALE 119845.0  
13 NON SIGNALE 119845.0  
14 NON SIGNALE 119845.0  
15 NON SIGNALE 119845.0  
16 NON SIGNALE 119845.0  
17 NON SIGNALE 119845.0  
18 NON SIGNALE 119845.0  
19 NON SIGNALE 119845.0  
20 NON SIGNALE 119845.0  
21 NON SIGNALE 119845.0  
22 NON SIGNALE 119845.0  
23 NON SIGNALE 119845.0  
24 NON SIGNALE 119845.0  
25 NON SIGNALE 119845.0  
26 NON SIGNALE 119845.0  
27 NON SIGNALE 119845.0  
28 NON SIGNALE 119845.0  
29 NON SIGNALE 119845.0  
30 NON SIGNALE 119845.0  
31 NON SIGNALE 119845.0  
32 NON SIGNALE 119845.0  
33 NON SIGNALE 119845.0  
34 NON SIGNALE 119845.0  
35 NON SIGNALE 119845.0  
36 NON SIGNALE 119845.0  
37 NON SIGNALE 119845.0  
38 NON SIGNALE 119845.0  
39 NON SIGNALE 119845.0  
40 NON SIGNALE 119845.0  
41 NON SIGNALE 119845.0  
42 NON SIGNALE 119845.0  
43 NON SIGNALE 119845.0  
44 NON SIGNALE 119845.0  
45 NON SIGNALE 119845.0  
46 NON SIGNALE 119845.0  
47 NON SIGNALE 119845.0

|     |             |          |
|-----|-------------|----------|
| 48  | NON SIGNALE | 119845.0 |
| 49  | NON SIGNALE | 119845.0 |
| 50  | NON SIGNALE | 119845.0 |
| 51  | NON SIGNALE | 119845.0 |
| 52  | NON SIGNALE | 119845.0 |
| 53  | NON SIGNALE | 119845.0 |
| 54  | NON SIGNALE | 119845.0 |
| 55  | NON SIGNALE | 119845.0 |
| 56  | NON SIGNALE | 119845.0 |
| 57  | NON SIGNALE | 119845.0 |
| 58  | NON SIGNALE | 119845.0 |
| 59  | NON SIGNALE | 119845.0 |
| 60  | NON SIGNALE | 119845.0 |
| 61  | NON SIGNALE | 119845.0 |
| 62  | NON SIGNALE | 119845.0 |
| 63  | NON SIGNALE | 119845.0 |
| 64  | NON SIGNALE | 119845.0 |
| 65  | NON SIGNALE | 119845.0 |
| 66  | NON SIGNALE | 119845.0 |
| 67  | NON SIGNALE | 119845.0 |
| 68  | NON SIGNALE | 119845.0 |
| 69  | NON SIGNALE | 119845.0 |
| 70  | NON SIGNALE | 119845.0 |
| 71  | NON SIGNALE | 119845.0 |
| 72  | NON SIGNALE | 119845.0 |
| 73  | NON SIGNALE | 119845.0 |
| 74  | NON SIGNALE | 119845.0 |
| 75  | NON SIGNALE | 119845.0 |
| 76  | NON SIGNALE | 119845.0 |
| 77  | NON SIGNALE | 119845.0 |
| 78  | NON SIGNALE | 119845.0 |
| 79  | NON SIGNALE | 119845.0 |
| 80  | NON SIGNALE | 119845.0 |
| 81  | NON SIGNALE | 119845.0 |
| 82  | NON SIGNALE | 119845.0 |
| 83  | NON SIGNALE | 119845.0 |
| 84  | NON SIGNALE | 119845.0 |
| 85  | NON SIGNALE | 119845.0 |
| 86  | NON SIGNALE | 119845.0 |
| 87  | NON SIGNALE | 119845.0 |
| 88  | NON SIGNALE | 119845.0 |
| 89  | NON SIGNALE | 119845.0 |
| 90  | NON SIGNALE | 119845.0 |
| 91  | NON SIGNALE | 119845.0 |
| 92  | NON SIGNALE | 119845.0 |
| 93  | NON SIGNALE | 119845.0 |
| 94  | NON SIGNALE | 119845.0 |
| 95  | NON SIGNALE | 119845.0 |
| 96  | NON SIGNALE | 119845.0 |
| 97  | NON SIGNALE | 119845.0 |
| 98  | NON SIGNALE | 119845.0 |
| 99  | NON SIGNALE | 119845.0 |
| 100 | NON SIGNALE | 119845.0 |
| 101 | NON SIGNALE | 119845.0 |
| 102 | NON SIGNALE | 119845.0 |
| 103 | NON SIGNALE | 119845.0 |
| 104 | NON SIGNALE | 119845.0 |
| 105 | NON SIGNALE | 119845.0 |
| 106 | NON SIGNALE | 119845.0 |
| 107 | NON SIGNALE | 119845.0 |
| 108 | NON SIGNALE | 119845.0 |
| 109 | NON SIGNALE | 119845.0 |
| 110 | NON SIGNALE | 119845.0 |
| 111 | NON SIGNALE | 119845.0 |
| 112 | NON SIGNALE | 119845.0 |
| 113 | NON SIGNALE | 119845.0 |
| 114 | NON SIGNALE | 119845.0 |
| 115 | NON SIGNALE | 119845.0 |
| 116 | NON SIGNALE | 119845.0 |
| 117 | NON SIGNALE | 119845.0 |

|     |             |          |
|-----|-------------|----------|
| 118 | NON SIGNALE | 119845.0 |
| 119 | NON SIGNALE | 119845.0 |
| 120 | NON SIGNALE | 119845.0 |
| 121 | NON SIGNALE | 119845.0 |
| 122 | NON SIGNALE | 119845.0 |
| 123 | NON SIGNALE | 119845.0 |
| 124 | NON SIGNALE | 119845.0 |
| 125 | NON SIGNALE | 119845.0 |
| 126 | NON SIGNALE | 119845.0 |
| 127 | NON SIGNALE | 119845.0 |
| 128 | NON SIGNALE | 119845.0 |
| 129 | NON SIGNALE | 119845.0 |
| 130 | NON SIGNALE | 119845.0 |
| 131 | NON SIGNALE | 119845.0 |
| 132 | NON SIGNALE | 119845.0 |
| 133 | NON SIGNALE | 119845.0 |
| 134 | NON SIGNALE | 119845.0 |
| 135 | NON SIGNALE | 119845.0 |
| 136 | NON SIGNALE | 119845.0 |
| 137 | NON SIGNALE | 119845.0 |
| 138 | NON SIGNALE | 119845.0 |
| 139 | NON SIGNALE | 119845.0 |
| 140 | NON SIGNALE | 119845.0 |
| 141 | NON SIGNALE | 119845.0 |
| 142 | NON SIGNALE | 119845.0 |
| 143 | NON SIGNALE | 119845.0 |
| 144 | NON SIGNALE | 119845.0 |
| 145 | NON SIGNALE | 119845.0 |
| 146 | NON SIGNALE | 119845.0 |
| 147 | NON SIGNALE | 119845.0 |
| 148 | NON SIGNALE | 119845.0 |
| 149 | NON SIGNALE | 119845.0 |
| 150 | NON SIGNALE | 119845.0 |
| 151 | NON SIGNALE | 119845.0 |
| 152 | NON SIGNALE | 119845.0 |
| 153 | NON SIGNALE | 119845.0 |
| 154 | NON SIGNALE | 119845.0 |
| 155 | NON SIGNALE | 119845.0 |
| 156 | NON SIGNALE | 119845.0 |
| 157 | NON SIGNALE | 119845.0 |
| 158 | NON SIGNALE | 119845.0 |
| 159 | NON SIGNALE | 119845.0 |
| 160 | NON SIGNALE | 119845.0 |
| 161 | NON SIGNALE | 119845.0 |
| 162 | NON SIGNALE | 119845.0 |
| 163 | NON SIGNALE | 119845.0 |
| 164 | NON SIGNALE | 119845.0 |
| 165 | NON SIGNALE | 119845.0 |
| 166 | NON SIGNALE | 119845.0 |
| 167 | NON SIGNALE | 119845.0 |
| 168 | NON SIGNALE | 119845.0 |
| 169 | NON SIGNALE | 119845.0 |
| 170 | NON SIGNALE | 119845.0 |
| 171 | NON SIGNALE | 119845.0 |
| 172 | NON SIGNALE | 119845.0 |
| 173 | NON SIGNALE | 119845.0 |
| 174 | NON SIGNALE | 119845.0 |
| 175 | NON SIGNALE | 119845.0 |
| 176 | NON SIGNALE | 119845.0 |
| 177 | NON SIGNALE | 119845.0 |
| 178 | NON SIGNALE | 119845.0 |
| 179 | NON SIGNALE | 119845.0 |
| 180 | NON SIGNALE | 119845.0 |
| 181 | NON SIGNALE | 119845.0 |
| 182 | NON SIGNALE | 119845.0 |
| 183 | NON SIGNALE | 119845.0 |
| 184 | NON SIGNALE | 119845.0 |
| 185 | NON SIGNALE | 119845.0 |
| 186 | NON SIGNALE | 119845.0 |
| 187 | NON SIGNALE | 119845.0 |

|     |             |          |
|-----|-------------|----------|
| 188 | NON SIGNALE | 119845.0 |
| 189 | NON SIGNALE | 119845.0 |
| 190 | NON SIGNALE | 119845.0 |
| 191 | NON SIGNALE | 119845.0 |
| 192 | NON SIGNALE | 119845.0 |
| 193 | NON SIGNALE | 119845.0 |
| 194 | NON SIGNALE | 119845.0 |
| 195 | NON SIGNALE | 119845.0 |
| 196 | NON SIGNALE | 119845.0 |
| 197 | NON SIGNALE | 119845.0 |
| 198 | NON SIGNALE | 119845.0 |
| 199 | NON SIGNALE | 119845.0 |
| 200 | NON SIGNALE | 119845.0 |
| 201 | NON SIGNALE | 119845.0 |
| 202 | NON SIGNALE | 119845.0 |
| 203 | NON SIGNALE | 119845.0 |
| 204 | NON SIGNALE | 119845.0 |
| 205 | NON SIGNALE | 119845.0 |
| 206 | NON SIGNALE | 119845.0 |
| 207 | NON SIGNALE | 119845.0 |
| 208 | NON SIGNALE | 119845.0 |
| 209 | NON SIGNALE | 119845.0 |
| 210 | NON SIGNALE | 119845.0 |
| 211 | NON SIGNALE | 119845.0 |
| 212 | NON SIGNALE | 119845.0 |
| 213 | NON SIGNALE | 119845.0 |
| 214 | NON SIGNALE | 119845.0 |
| 215 | NON SIGNALE | 119845.0 |
| 216 | NON SIGNALE | 119845.0 |
| 217 | NON SIGNALE | 119845.0 |
| 218 | NON SIGNALE | 119845.0 |
| 219 | NON SIGNALE | 119845.0 |
| 220 | NON SIGNALE | 119845.0 |
| 221 | NON SIGNALE | 119845.0 |
| 222 | NON SIGNALE | 119845.0 |
| 223 | NON SIGNALE | 119845.0 |
| 224 | NON SIGNALE | 119845.0 |
| 225 | NON SIGNALE | 119845.0 |
| 226 | NON SIGNALE | 119845.0 |
| 227 | NON SIGNALE | 119845.0 |
| 228 | NON SIGNALE | 119845.0 |
| 229 | NON SIGNALE | 119845.0 |
| 230 | NON SIGNALE | 119845.0 |
| 231 | NON SIGNALE | 119845.0 |
| 232 | NON SIGNALE | 119845.0 |
| 233 | NON SIGNALE | 119845.0 |
| 234 | NON SIGNALE | 119845.0 |
| 235 | NON SIGNALE | 119845.0 |
| 236 | NON SIGNALE | 119845.0 |
| 237 | NON SIGNALE | 119845.0 |
| 238 | NON SIGNALE | 119845.0 |
| 239 | NON SIGNALE | 119845.0 |
| 240 | NON SIGNALE | 119845.0 |
| 241 | NON SIGNALE | 119845.0 |
| 242 | NON SIGNALE | 119845.0 |
| 243 | NON SIGNALE | 119845.0 |
| 244 | NON SIGNALE | 119845.0 |
| 245 | NON SIGNALE | 119845.0 |
| 246 | NON SIGNALE | 119845.0 |
| 247 | NON SIGNALE | 119845.0 |
| 248 | NON SIGNALE | 119845.0 |
| 249 | NON SIGNALE | 119845.0 |
| 250 | NON SIGNALE | 119845.0 |
| 251 | NON SIGNALE | 119845.0 |
| 252 | NON SIGNALE | 119845.0 |
| 253 | NON SIGNALE | 119845.0 |
| 254 | NON SIGNALE | 119845.0 |
| 255 | NON SIGNALE | 119845.0 |
| 256 | NON SIGNALE | 119845.0 |
| 257 | NON SIGNALE | 119845.0 |

|     |             |          |
|-----|-------------|----------|
| 258 | NON SIGNALE | 119845.0 |
| 259 | NON SIGNALE | 119845.0 |
| 260 | NON SIGNALE | 119845.0 |
| 261 | NON SIGNALE | 119845.0 |
| 262 | NON SIGNALE | 119845.0 |
| 263 | NON SIGNALE | 119845.0 |
| 264 | NON SIGNALE | 119845.0 |
| 265 | NON SIGNALE | 119845.0 |
| 266 | NON SIGNALE | 119845.0 |
| 267 | NON SIGNALE | 119845.0 |
| 268 | NON SIGNALE | 119845.0 |
| 269 | NON SIGNALE | 119845.0 |
| 270 | NON SIGNALE | 119845.0 |
| 271 | NON SIGNALE | 119845.0 |
| 272 | NON SIGNALE | 119845.0 |
| 273 | NON SIGNALE | 119845.0 |
| 274 | NON SIGNALE | 119845.0 |
| 275 | NON SIGNALE | 119845.0 |
| 276 | NON SIGNALE | 119845.0 |
| 277 | NON SIGNALE | 119845.0 |
| 278 | NON SIGNALE | 119845.0 |
| 279 | NON SIGNALE | 119845.0 |
| 280 | NON SIGNALE | 119845.0 |
| 281 | NON SIGNALE | 119845.0 |
| 282 | NON SIGNALE | 119845.0 |
| 283 | NON SIGNALE | 119845.0 |
| 284 | NON SIGNALE | 119845.0 |
| 285 | NON SIGNALE | 119845.0 |
| 286 | NON SIGNALE | 119845.0 |
| 287 | NON SIGNALE | 119845.0 |
| 288 | NON SIGNALE | 119845.0 |
| 289 | NON SIGNALE | 119845.0 |
| 290 | NON SIGNALE | 119845.0 |
| 291 | NON SIGNALE | 119845.0 |
| 292 | NON SIGNALE | 119845.0 |
| 293 | NON SIGNALE | 119845.0 |
| 294 | NON SIGNALE | 119845.0 |
| 295 | NON SIGNALE | 119845.0 |
| 296 | NON SIGNALE | 119845.0 |
| 297 | NON SIGNALE | 119845.0 |
| 298 | NON SIGNALE | 119845.0 |
| 299 | NON SIGNALE | 119845.0 |
| 300 | NON SIGNALE | 119845.0 |
| 301 | NON SIGNALE | 119845.0 |
| 302 | NON SIGNALE | 119845.0 |
| 303 | NON SIGNALE | 119845.0 |
| 304 | NON SIGNALE | 119845.0 |
| 305 | NON SIGNALE | 119845.0 |
| 306 | NON SIGNALE | 119845.0 |
| 307 | NON SIGNALE | 119845.0 |
| 308 | NON SIGNALE | 119845.0 |
| 309 | NON SIGNALE | 119845.0 |
| 310 | NON SIGNALE | 119845.0 |
| 311 | NON SIGNALE | 119845.0 |
| 312 | NON SIGNALE | 119845.0 |
| 313 | NON SIGNALE | 119845.0 |
| 314 | NON SIGNALE | 119845.0 |
| 315 | NON SIGNALE | 119845.0 |
| 316 | NON SIGNALE | 119845.0 |
| 317 | NON SIGNALE | 119845.0 |
| 318 | NON SIGNALE | 119845.0 |
| 319 | NON SIGNALE | 119845.0 |
| 320 | NON SIGNALE | 119845.0 |
| 321 | NON SIGNALE | 119845.0 |
| 322 | NON SIGNALE | 119845.0 |
| 323 | NON SIGNALE | 119845.0 |
| 324 | NON SIGNALE | 119845.0 |
| 325 | NON SIGNALE | 119845.0 |
| 326 | NON SIGNALE | 119845.0 |
| 327 | NON SIGNALE | 119845.0 |



|     |             |          |
|-----|-------------|----------|
| 328 | NON SIGNALE | 119845.0 |
| 329 | NON SIGNALE | 119845.0 |
| 330 | NON SIGNALE | 119845.0 |
| 331 | NON SIGNALE | 119845.0 |
| 332 | NON SIGNALE | 119845.0 |
| 333 | NON SIGNALE | 119845.0 |
| 334 | NON SIGNALE | 119845.0 |
| 335 | NON SIGNALE | 119845.0 |
| 336 | NON SIGNALE | 119845.0 |
| 337 | NON SIGNALE | 119845.0 |
| 338 | NON SIGNALE | 119845.0 |
| 339 | NON SIGNALE | 119845.0 |
| 340 | NON SIGNALE | 119845.0 |
| 341 | NON SIGNALE | 119845.0 |
| 342 | NON SIGNALE | 119845.0 |
| 343 | NON SIGNALE | 119845.0 |
| 344 | NON SIGNALE | 119845.0 |
| 345 | NON SIGNALE | 119845.0 |
| 346 | NON SIGNALE | 119845.0 |
| 347 | NON SIGNALE | 119845.0 |
| 348 | NON SIGNALE | 119845.0 |
| 349 | NON SIGNALE | 119845.0 |
| 350 | NON SIGNALE | 119845.0 |
| 351 | NON SIGNALE | 119845.0 |
| 352 | NON SIGNALE | 119845.0 |
| 353 | NON SIGNALE | 119845.0 |
| 354 | NON SIGNALE | 119845.0 |
| 355 | NON SIGNALE | 119845.0 |
| 356 | NON SIGNALE | 119845.0 |
| 357 | NON SIGNALE | 119845.0 |
| 358 | NON SIGNALE | 119845.0 |
| 359 | NON SIGNALE | 119845.0 |
| 360 | NON SIGNALE | 119845.0 |
| 361 | NON SIGNALE | 119845.0 |
| 362 | NON SIGNALE | 119845.0 |
| 363 | NON SIGNALE | 119845.0 |
| 364 | NON SIGNALE | 119845.0 |
| 365 | NON SIGNALE | 119845.0 |
| 366 | NON SIGNALE | 119845.0 |
| 367 | NON SIGNALE | 119845.0 |
| 368 | NON SIGNALE | 119845.0 |
| 369 | NON SIGNALE | 119845.0 |
| 370 | NON SIGNALE | 119845.0 |
| 371 | NON SIGNALE | 119845.0 |
| 372 | NON SIGNALE | 119845.0 |
| 373 | NON SIGNALE | 119845.0 |
| 374 | NON SIGNALE | 119845.0 |
| 375 | NON SIGNALE | 119845.0 |
| 376 | NON SIGNALE | 119845.0 |
| 377 | NON SIGNALE | 119845.0 |
| 378 | NON SIGNALE | 119845.0 |
| 379 | NON SIGNALE | 119845.0 |
| 380 | NON SIGNALE | 119845.0 |
| 381 | NON SIGNALE | 119845.0 |
| 382 | NON SIGNALE | 119845.0 |
| 383 | NON SIGNALE | 119845.0 |
| 384 | NON SIGNALE | 119845.0 |
| 385 | NON SIGNALE | 119845.0 |
| 386 | NON SIGNALE | 119845.0 |
| 387 | NON SIGNALE | 119845.0 |
| 388 | NON SIGNALE | 119845.0 |
| 389 | NON SIGNALE | 119845.0 |
| 390 | NON SIGNALE | 119845.0 |
| 391 | NON SIGNALE | 119845.0 |
| 392 | NON SIGNALE | 119845.0 |
| 393 | NON SIGNALE | 119845.0 |
| 394 | NON SIGNALE | 119845.0 |
| 395 | NON SIGNALE | 119845.0 |
| 396 | NON SIGNALE | 119845.0 |
| 397 | NON SIGNALE | 119845.0 |

|     |     |         |          |
|-----|-----|---------|----------|
| 398 | NON | SIGNALE | 119845.0 |
| 399 | NON | SIGNALE | 119845.0 |
| 400 | NON | SIGNALE | 119845.0 |
| 401 | NON | SIGNALE | 119845.0 |
| 402 | NON | SIGNALE | 119845.0 |
| 403 | NON | SIGNALE | 119845.0 |
| 404 | NON | SIGNALE | 119845.0 |
| 405 | NON | SIGNALE | 119845.0 |
| 406 | NON | SIGNALE | 119845.0 |
| 407 | NON | SIGNALE | 119845.0 |
| 408 | NON | SIGNALE | 119845.0 |
| 409 | NON | SIGNALE | 119845.0 |
| 410 | NON | SIGNALE | 119845.0 |
| 411 | NON | SIGNALE | 119845.0 |
| 412 | NON | SIGNALE | 119845.0 |
| 413 | NON | SIGNALE | 119845.0 |
| 414 | NON | SIGNALE | 119845.0 |
| 415 | NON | SIGNALE | 119845.0 |
| 416 | NON | SIGNALE | 119845.0 |
| 417 | NON | SIGNALE | 119845.0 |
| 418 | NON | SIGNALE | 119845.0 |
| 419 | NON | SIGNALE | 119845.0 |
| 420 | NON | SIGNALE | 119845.0 |
| 421 | NON | SIGNALE | 119845.0 |
| 422 | NON | SIGNALE | 119845.0 |
| 423 | NON | SIGNALE | 119845.0 |
| 424 | NON | SIGNALE | 119845.0 |
| 425 | NON | SIGNALE | 119845.0 |
| 426 | NON | SIGNALE | 119845.0 |
| 427 | NON | SIGNALE | 119845.0 |
| 428 | NON | SIGNALE | 119845.0 |
| 429 | NON | SIGNALE | 119845.0 |
| 430 | NON | SIGNALE | 119845.0 |
| 431 | NON | SIGNALE | 119845.0 |
| 432 | NON | SIGNALE | 119845.0 |
| 433 | NON | SIGNALE | 119845.0 |
| 434 | NON | SIGNALE | 119845.0 |
| 435 | NON | SIGNALE | 119845.0 |
| 436 | NON | SIGNALE | 119845.0 |
| 437 | NON | SIGNALE | 119845.0 |
| 438 | NON | SIGNALE | 119845.0 |
| 439 | NON | SIGNALE | 119845.0 |
| 440 | NON | SIGNALE | 119845.0 |
| 441 | NON | SIGNALE | 119845.0 |
| 442 | NON | SIGNALE | 119845.0 |
| 443 | NON | SIGNALE | 119845.0 |
| 444 | NON | SIGNALE | 119845.0 |
| 445 | NON | SIGNALE | 119845.0 |
| 446 | NON | SIGNALE | 119845.0 |
| 447 | NON | SIGNALE | 119845.0 |
| 448 | NON | SIGNALE | 119845.0 |
| 449 | NON | SIGNALE | 119845.0 |
| 450 | NON | SIGNALE | 119845.0 |
| 451 | NON | SIGNALE | 119845.0 |
| 452 | NON | SIGNALE | 119845.0 |
| 453 | NON | SIGNALE | 119845.0 |
| 454 | NON | SIGNALE | 119845.0 |
| 455 | NON | SIGNALE | 119845.0 |
| 456 | NON | SIGNALE | 119845.0 |
| 457 | NON | SIGNALE | 119845.0 |
| 458 | NON | SIGNALE | 119845.0 |
| 459 | NON | SIGNALE | 119845.0 |
| 460 | NON | SIGNALE | 119845.0 |
| 461 | NON | SIGNALE | 119845.0 |
| 462 | NON | SIGNALE | 119845.0 |
| 463 | NON | SIGNALE | 119845.0 |
| 464 | NON | SIGNALE | 119845.0 |
| 465 | NON | SIGNALE | 119845.0 |
| 466 | NON | SIGNALE | 119845.0 |
| 467 | NON | SIGNALE | 119845.0 |

|     |             |          |
|-----|-------------|----------|
| 468 | NON SIGNALE | 119845.0 |
| 469 | NON SIGNALE | 119845.0 |
| 470 | NON SIGNALE | 119845.0 |
| 471 | NON SIGNALE | 119845.0 |
| 472 | NON SIGNALE | 119845.0 |
| 473 | NON SIGNALE | 119845.0 |
| 474 | NON SIGNALE | 119845.0 |
| 475 | NON SIGNALE | 119845.0 |
| 476 | NON SIGNALE | 119845.0 |
| 477 | NON SIGNALE | 119845.0 |
| 478 | NON SIGNALE | 119845.0 |
| 479 | NON SIGNALE | 119845.0 |
| 480 | NON SIGNALE | 119845.0 |
| 481 | NON SIGNALE | 119845.0 |
| 482 | NON SIGNALE | 119845.0 |
| 483 | NON SIGNALE | 119845.0 |
| 484 | NON SIGNALE | 119845.0 |
| 485 | NON SIGNALE | 119845.0 |
| 486 | NON SIGNALE | 119845.0 |
| 487 | NON SIGNALE | 119845.0 |
| 488 | NON SIGNALE | 119845.0 |
| 489 | NON SIGNALE | 119845.0 |
| 490 | NON SIGNALE | 119845.0 |
| 491 | NON SIGNALE | 119845.0 |
| 492 | NON SIGNALE | 119845.0 |
| 493 | NON SIGNALE | 119845.0 |
| 494 | NON SIGNALE | 119845.0 |
| 495 | NON SIGNALE | 119845.0 |
| 496 | NON SIGNALE | 119845.0 |
| 497 | NON SIGNALE | 119845.0 |
| 498 | NON SIGNALE | 119845.0 |
| 499 | NON SIGNALE | 119845.0 |
| 500 | NON SIGNALE | 119845.0 |
| 501 | NON SIGNALE | 119845.0 |
| 502 | NON SIGNALE | 119845.0 |
| 503 | NON SIGNALE | 119845.0 |
| 504 | NON SIGNALE | 119845.0 |
| 505 | NON SIGNALE | 119845.0 |
| 506 | NON SIGNALE | 119845.0 |
| 507 | NON SIGNALE | 119845.0 |
| 508 | NON SIGNALE | 119845.0 |
| 509 | NON SIGNALE | 119845.0 |
| 510 | NON SIGNALE | 119845.0 |
| 511 | NON SIGNALE | 119845.0 |
| 512 | NON SIGNALE | 119845.0 |
| 513 | NON SIGNALE | 119845.0 |
| 514 | NON SIGNALE | 119845.0 |
| 515 | NON SIGNALE | 119845.0 |
| 516 | NON SIGNALE | 119845.0 |
| 517 | NON SIGNALE | 119845.0 |
| 518 | NON SIGNALE | 119845.0 |
| 519 | NON SIGNALE | 119845.0 |
| 520 | NON SIGNALE | 119845.0 |
| 521 | NON SIGNALE | 119845.0 |
| 522 | NON SIGNALE | 119845.0 |
| 523 | NON SIGNALE | 119845.0 |
| 524 | NON SIGNALE | 119845.0 |
| 525 | NON SIGNALE | 119845.0 |
| 526 | NON SIGNALE | 119845.0 |
| 527 | NON SIGNALE | 119845.0 |
| 528 | NON SIGNALE | 119845.0 |
| 529 | NON SIGNALE | 119845.0 |
| 530 | NON SIGNALE | 119845.0 |
| 531 | NON SIGNALE | 119845.0 |
| 532 | NON SIGNALE | 119845.0 |
| 533 | NON SIGNALE | 119845.0 |
| 534 | NON SIGNALE | 119845.0 |
| 535 | NON SIGNALE | 119845.0 |
| 536 | NON SIGNALE | 119845.0 |
| 537 | NON SIGNALE | 119845.0 |

|     |             |          |
|-----|-------------|----------|
| 538 | NON SIGNALE | 119845.0 |
| 539 | NON SIGNALE | 119845.0 |
| 540 | NON SIGNALE | 119845.0 |
| 541 | NON SIGNALE | 119845.0 |
| 542 | NON SIGNALE | 119845.0 |
| 543 | NON SIGNALE | 119845.0 |
| 544 | NON SIGNALE | 119845.0 |
| 545 | NON SIGNALE | 119845.0 |
| 546 | NON SIGNALE | 119845.0 |
| 547 | NON SIGNALE | 119845.0 |
| 548 | NON SIGNALE | 119845.0 |
| 549 | NON SIGNALE | 119845.0 |
| 550 | NON SIGNALE | 119845.0 |
| 551 | NON SIGNALE | 119845.0 |
| 552 | NON SIGNALE | 119845.0 |
| 553 | NON SIGNALE | 119845.0 |
| 554 | NON SIGNALE | 119845.0 |
| 555 | NON SIGNALE | 119845.0 |
| 556 | NON SIGNALE | 119845.0 |

Total Partiel: 6.663382E7 \$

DECLARANT: ANGAIKA MBABHUNA ITURI\_SUITE5\_CCF07032016\_0003\_016

N° NOM VICTIME EVALUATION CHIFFREE  
1 ANGAIKA MBABHU 119845.0

Total Partiel: 119845.0 \$

DECLARANT: ATENDE BANGA ITURI\_SUITE3\_CCF07032016\_021

N° NOM VICTIME EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0  
2 NON SIGNALE 119845.0  
3 NON SIGNALE 119845.0  
4 NON SIGNALE 119845.0  
5 NON SIGNALE 119845.0  
6 NON SIGNALE 119845.0  
7 NON SIGNALE 119845.0

Total Partiel: 838915.0 \$

DECLARANT: AVENYUMA SOSI RICHARD ITURI\_SUITE\_CCF05032016\_0002 (2)\_012

N° NOM VICTIME EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0  
2 NON SIGNALE 119845.0  
3 NON SIGNALE 119845.0  
4 NON SIGNALE 119845.0  
5 NON SIGNALE 119845.0

Total Partiel: 599225.0 \$

DECLARANT: AVODO KAJDJANGU ITURI\_SUITE3\_CCF07032016\_0008\_023 - COPIE

N° NOM VICTIME EVALUATION CHIFFREE  
1 NDOKA 119845.0

Total Partiel: 119845.0 \$

DECLARANT: BANGARI ROBERT ITURI\_SUITE\_CCF05032016\_0002 (2)\_008

N° NOM VICTIME EVALUATION CHIFFREE  
1 ADHIRO MUKWALE 119845.0  
2 KUBA MATESO 119845.0

Total Partiel: 239690.0 \$

DECLARANT: BELO DRAKPA JEAN DE ITURI\_SUITE4\_CCF07032016\_0006\_062

N° NOM VICTIME EVALUATION CHIFFREE  
1 NON SIGNALE 119845.0  
2 NON SIGNALE 119845.0

Total Partiel: 239690.0 \$

2.7 As for the 337 individuals who are nominally identified, the DRC does not offer any supporting evidence confirming that they were killed or, if so, by whom. Among the DRC's victim identification forms, there are only two supporting documents relating to alleged losses of life in Ituri. One is a death certificate concerning a death in Bunia on 12 May 2003.<sup>59</sup> The other is a document signed in Butembo on 10 October 2004 stating that a family decided to divide a decedent's belongings. The latter does not provide information about the date and place of death (whether in Ituri or elsewhere), the age or profession of the victim or any other circumstances of his or her death, including who, if anyone, was allegedly responsible.<sup>60</sup>

2.8 The DRC's wholesale failure to come forward with supporting evidence cannot be excused by its claim that "the difficulties encountered in the process of collecting the evidence were immense".<sup>61</sup> The DRC's production in this case stands in stark contrast to what victims in the *Katanga* case were able to produce before the ICC.<sup>62</sup> Even though they lacked the resources available to a government, they nonetheless came to the court with the types of evidence that must be expected to prove damages related to death, including: (1) death certificates signed by a civil status registrar in the DRC; (2) certificates of family relationship (to establish the familial connection between the claimant and the decedent); and (3) in cases where certificates of family relationship were not available, other information sufficient to establish the existence of a familial relationship (e.g., showing that the surnames

---

<sup>59</sup> *Evaluation décès Ituri*, ITURI\_SUITE\_CCF04032016\_0052\_030 (DRCRQ Annex 1.4).

<sup>60</sup> *Evaluation décès Ituri*, ITURI\_SUITE\_CCF04032016\_0052\_028 (DRCRQ Annex 1.4). The name of the deceased person listed on the document does not appear in the DRC's table synthesizing the alleged losses of life, in DRCRQ Annex 1.9.

<sup>61</sup> DRCRQ, para. 2.10 (Translation by Counsel, original in French: "les difficultés ayant été immenses sur la voie de la collecte des preuves").

<sup>62</sup> UCM, para. 5.11.

on claimants' voter cards matched those on a death certificate).<sup>63</sup> Neither in its Memorial nor its response to Question 2 does the DRC offer any comparable evidence.

2.9 The DRC's assertion that 40,000 persons were killed in direct attacks against civilians in Ituri during the period of Uganda's occupation is therefore entirely unsupported.

## **II. The DRC Produces No Evidence Supporting the Number of Victims of Personal Injury**

2.10 The DRC continues to claim that there were 30,000 victims of personal injury in Ituri during the Ugandan occupation. This claim, too, is based on speculation built atop speculation. As with its estimate of the number of deaths resulting from direct attacks against civilians, the DRC bases this number on two flawed assumptions: (1) that 60,000 people were killed in Ituri during Uganda's occupation, and (2) that half of this number (i.e., 30,000) were injured.<sup>64</sup> Both the starting number and the ratio are unfounded and arbitrary.<sup>65</sup>

2.11 In response to the Court's request that it "produce evidence" supporting its estimate, the DRC's response to Question 2 refers only to Annex 2.3.B, the UN Secretary-General's Second Report on MONUC. That report, however, provides no support for the number the DRC claims. It states only that "countless [victims] have been left maimed or severely mutilated" since violence began in June 1999.<sup>66</sup>

---

<sup>63</sup> UCM, para. 5.11.

<sup>64</sup> DRCM para. 3.28; UCM paras. 6.19-6.25.

<sup>65</sup> DRCM para. 3.28; UCM paras. 6.19-6.25.

<sup>66</sup> U.N. Security Council, *Second special report of the Secretary-General on the United Nations Organizations Mission in the Democratic Republic of the Congo (MONUC)*, U.N. Doc. S/2003/566 (27 May 2003), para. 10 (DRCRQ Annex 2.3.B).

2.12 The DRC's number is also contradicted by its victim identification forms. According to Annex 1.9.B. ("*Evaluation lésions Ituri*"), which purports to be a summary of the victim identification forms, there were 454 victims of physical injuries in Ituri. Here again, the vast majority (326 or 71%) are "*non signalé*". And like the victim identification forms relating to deaths, none of the forms ostensibly reporting physical injuries in Ituri have supporting documentation of any kind.

2.13 The DRC's number is further contradicted by Annex 1.3 to its Memorial: "*Liste Type Lésion et leur fréquence ITURI: Rapport Fréquence Type Lésions de 1998 à 2003*" (which it chose not to reproduce with its response to the Court's questions). This list nominally records 513 cases of physical injuries, including 316 cases of rape. To avoid overlap with the number of alleged rape victims (discussed below), one must subtract the latter number from the total:  $513 - 316 = 197$ . This is just 0.6% of the number of physical injuries (excluding rape) for which the DRC claims compensation in Ituri.

2.14 The evidence presented by victims in the *Katanga* case yet again highlights the deficiencies in DRC's evidence. Most of the 341 applicants there presented medical reports, and some presented a medical certificate from a non-governmental organization in Uganda, a hospital record and a forensic report.<sup>67</sup> Even with this evidence, when the applications "[did] not specify that the wounds were sustained in the attack on Bogoro", the Court concluded that "the causal nexus [was] not established".<sup>68</sup>

---

<sup>67</sup> *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Case No. ICC-01/04-01/07-3728, Order for Reparations pursuant to Article 75 of the Statute (ICC Trial Chamber II, 24 Mar. 2017), para. 111.

<sup>68</sup> *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Case No. ICC-01/04-01/07-3728, Order for Reparations pursuant to Article 75 of the Statute (ICC Trial Chamber II, 24 Mar. 2017), para. 111.

2.15 The DRC's assertion that 30,000 persons were injured in Ituri during the period of Uganda's occupation is thus entirely unsupported.

### **III. The DRC Produces No Evidence Supporting the Number of Rape Victims**

2.16 The DRC continues to claim that there were 1,710 instances of rape in Ituri during the period of Uganda's occupation. But it also continues to provide no evidence proving this number.

2.17 The DRC's response to Question 2 states that its number is based on two UN reports, the evidence gathered by the DRC National Commission and the victim identification forms provided in Annex 1.1 to 1.10B. Apart from the newly-provided victim identification forms, all of these sources were cited in the DRC's Memorial.<sup>69</sup> None of them support the DRC's claim.

2.18 The first UN report is the Special Report on Events in Ituri (Annex 2.4.B), which expressly states that "[t]he exact number of female victims of rape or sexual slavery is impossible to estimate at this time".<sup>70</sup> The second is the UN Mapping Report (Annex 2.1.), which provides only one specific number when discussing rape (at paragraph 414). That paragraph states that *UPC militiamen* raped "at least 50 women" between 15 and 16 October 2002 in Zumbe. It provides no other specific numbers or estimates when describing other incidents of rape, much less instances of rape involving Uganda.

---

<sup>69</sup> DRCM, paras. 3.30-3.32.

<sup>70</sup> U.N. Organization Mission in the DRC, *Special Report on the Events in Ituri, January 2002-December 2003*, U.N. Doc. S/2004/573 (16 July 2004), para. 1 (DRCM Annex 1.6).



2.19 As for the evidence gathered by the DRC's National Commission, the DRC's response does not cite any specific source or annex.<sup>71</sup> Uganda has explained the numerous flaws with this evidence in its Counter-Memorial, including the lack of detail and supporting evidence.<sup>72</sup>

2.20 Lastly, the DRC refers to its victim identification forms but here, too, does not cite to any specific form(s).<sup>73</sup> While the DRC does provide tables purporting to list victims of loss of life, displacements, physical injuries, and property loss, there is no table that separately lists alleged rape victims. Moreover, since the victim identification forms are not organized by the type of injury (or really any other manner that Uganda can discern), it is impossible to count the alleged number of rapes without sifting through each and every one of the 1,808 victim identification forms nominally relating to Ituri (which has not been possible in the limited time available). Uganda has, however, surveyed all the victim identification forms to see whether they are connected to any supporting evidence, including, for example, health records. None are.

2.21 This complete failure of evidence can be contrasted with the proceedings before the EECC, which demonstrate that it is possible to collect documentation regarding sexual violence even in places affected by war and violence. To support their allegations of rape, both Eritrea and Ethiopia presented detailed eyewitness accounts and corroborating testimony of doctors who had personally treated victims.<sup>74</sup> Even then, the EECC dismissed claims of sexual violence that were

---

<sup>71</sup> DRCRQ, para. 2.13.

<sup>72</sup> UCM, para. 6.64.

<sup>73</sup> DRCRQ, para. 2.13.

<sup>74</sup> *Eritrea's Central Front Claims, Partial Award, Eritrea-Ethiopia Claims Commission*, Eritrea's Claims 2, 4, 6, 7, 8 & 22 (28 Apr. 2004), para. 80; *Ethiopia Western-Eastern Front Claims, Partial Award, Eritrea-Ethiopia Claims Commission*, Ethiopia's Claims 1 & 3 (19 Dec. 2005), para. 55.

“spare in their mention of or allusion to rape”.<sup>75</sup> The DRC, in contrast, does not meet even this standard of proof.

2.22 In any event, there is good reason to doubt that the DRC’s victim identification forms, even taken at face value, support the number of rapes claimed in Ituri. In its Memorial, the DRC stated that the “Congolese investigators were able to list only 342 cases of rape” in Ituri, just 20% of the 1,710 claimed.<sup>76</sup>

2.23 Moreover, in Annex 1.3 of its Memorial (“*Liste Type Lésion et leur fréquence ITURI: Rapport Fréquence Type Lésions de 1998 à 2003*”), the DRC listed rape as a subset of “physical injuries”. There, the DRC alleged that there were 201 cases of “aggravated rape” and 115 cases of “simple rape”, for a total of 316 rapes in Ituri.<sup>77</sup>

\*

2.24 Despite having been afforded a second chance, the DRC still does not provide any evidence to support its estimates for (1) the number of persons killed in direct attacks on civilians; (2) the number of victims of personal injury; and (3) the number of rape victims in Ituri during the period of Uganda’s occupation. It therefore continues to fail to give the Court any reliable evidentiary basis on which to award compensation relating to personal injuries in Ituri.

---

<sup>75</sup> *Ethiopia Western-Eastern Front Claims, Partial Award, Eritrea-Ethiopia Claims Commission, Ethiopia’s Claims 1 & 3* (19 Dec. 2005), para. 55.

<sup>76</sup> DRCM, para. 3.32.

<sup>77</sup> *Liste Type Lésion et leur fréquence ITURI: Rapport Fréquence Type Lésions de 1998 à 2003* (DRCM Annex 1.3).

### Question 3

*Could the DRC provide to the Court the evidence on which it bases its claims of US\$300 for each person who fled his or her home to escape deliberate acts of violence against civilian populations, and US\$100 for each person who was driven from his or her home by the fighting?*

#### **Uganda’s Comments on the DRC’s Response:**

3.1 The DRC’s response to Question 3 does not answer to the Court’s question. It does not provide any evidence supporting its claims for US\$ 300 for each person who fled his or her home to escape deliberate acts of violence against civilian populations, or its claims for US\$ 100 for each person who was driven from his or her home by the fighting. Instead, it confirms what Uganda demonstrated in its Counter-Memorial: these are lump sum amounts arbitrarily selected for these proceedings that have no basis in the actual harm incurred by individuals, let alone harm for which Uganda is responsible.<sup>78</sup> Indeed, the DRC itself admits that the two amounts are “lump sums”.<sup>79</sup>

3.2 According to the DRC, US\$ 300 represents reparation for the moral harm due to displacement as a result of deliberate violence. The DRC describes this moral harm as “the suspension of professional activities” of the victims; the “trauma for the displaced resulting from the atrocities committed by the combatants”; “the anxiety due to repeated events”; “distress due to the lack of

---

<sup>78</sup> UCM, para. 6.115.

<sup>79</sup> DRCRQ, para. 3.11 (Translation by Counsel, original in French: “forfaitaires”).

humanitarian assistance”; “the lack of accountability for the perpetrators”; and “the worry due to the uncertainty about the future”.<sup>80</sup>

3.3 One hundred US dollars, the DRC says, represents the moral harm suffered by individuals who took flight as a collateral consequence of violence. According to the DRC, “this scenario involves mainly the populations that fled their homes for the shortest periods of time”.<sup>81</sup> The DRC claims that the “moral harm results from the worry related to the abandonment of one’s house, the fear of returning to find the residence destroyed, the suffering resulting from the separation imposed by the hostilities on the members of a single family, and the fear of losing one’s property”.<sup>82</sup>

3.4 These are pure assertions. The DRC does not point to any evidence that actually supports the various elements indicated above.<sup>83</sup> Although the DRC does refer generally to its summary “victim identification forms” produced in Annexes 1.1 to 1.5.1 in another part of its answer, it does not cite any particular form(s). Uganda carefully examined the forms and corresponding “valuation lists” in these annexes in an effort to see if they in fact contain evidence supporting the DRC’s displacement claims. They do not. Although some of the forms purport to record instances of displacement, none provides any details as to why the displacement

---

<sup>80</sup> DRCRQ, para. 3.13 (Translation by Counsel, original in French: “la suspension des activités professionnelles”; “traumatisme découlant pour les déplacés des atrocités commises par les belligérants”; “l’angoisse des faits qui se reproduisent”; “la détresse due au manque d’assistance humanitaire”; “l’absence des poursuites des auteurs responsables de ces faits”; “l’inquiétude due à l’incertitude du lendemain”).

<sup>81</sup> DRCRQ, para. 3.15 (Translation by Counsel, original in French: “ce cas de figure concerne essentiellement les populations qui ont fui leurs domiciles pour les périodes plus brèves”).

<sup>82</sup> DRCRQ, para. 3.15 (Translation by Counsel, original in French: “Ce préjudice moral résulte de: l’inquiétude liée à l’abandon de son domicile, la crainte de retrouver son domicile détruit, la souffrance née de la séparation imposée par les hostilités aux membres d’une même famille, la crainte de perdre ses biens”).

<sup>83</sup> DRCRQ, paras. 3.11-3.25.

occurred, whether family members were separated, whether humanitarian assistance was available and so on. None alleges loss of earnings. None even alleges trauma, anxiety, fear or distress. And none of these forms indicates that the displacement was caused either by direct violence against civilians or as a collateral consequence of fighting, thereby allowing them to be grouped into the categories advanced by the DRC.

3.5 The DRC's Response to Question 3 also mentions (at paras. 3.3 and 3.4) three UN reports. But these reports do not support the DRC's claims either. The Special Report on Events in Ituri (Annex 2.4.B) mentions several incidents of displacement but does not specify whether these displacements were caused by direct violence against civilians or were a collateral consequence of fighting, how long they lasted, whether they involved a loss of earnings and what harm they caused, including the trauma, anxiety, fear or distress described by the DRC.<sup>84</sup> Moreover, some of the incidents occurred after Uganda's withdrawal from the DRC on 2 June 2003.<sup>85</sup> The UN Mapping Report (Annex 2.1) similarly mentions incidents of displacement, without providing the details described by the DRC.<sup>86</sup> The excerpt of the Report of the Special Rapporteur on the Situation of Human Rights in the DRC (Annex 2.2) does not mention displacement at all.<sup>87</sup> Despite the Court's request that it do so, the DRC has therefore failed to provide evidence supporting the lump sums it claims.

---

<sup>84</sup> U.N. Security Council, *Special Report on Events in Ituri (Jan. 2002-Dec. 2003)*, U.N. Doc. S/2004/573 (16 July 2004), paras. 1, 12, 26, 40, 42, 49, 52-54, 82 (DRCRQ Annex 2.4.B).

<sup>85</sup> *See, e.g.*, U.N. Security Council, *Special Report on Events in Ituri (Jan. 2002-Dec. 2003)*, U.N. Doc. S/2004/573 (16 July 2004), para. 90 (DRCRQ Annex 2.4.B).

<sup>86</sup> U.N. Mapping Report, paras. 362, 366, 413 (DRCRQ Annex 2.1).

<sup>87</sup> U.N. Economic and Social Council, *Report on the situation of human rights in the Democratic Republic of the Congo, submitted by the Special Rapporteur, Mr. Roberto Garretón, in accordance with Commission on Human Rights resolution 1999/56*, U.N. Doc. E/CN.4/2000/42 (18 Jan. 2000) (DRCRQ Annex 2.2).

3.6 What the DRC does introduce, for the first time, are two new elements of its claims relating to displacements. According to the DRC, the “lump sums” of US\$ 300 or US\$ 100, as the case may be, should be added to its “valuation” for displacements, which “takes into account the number of days spent in the forest, multiplied by the per capita GDP per day (equivalent of the daily expenses per capita in the Congo)”.<sup>88</sup> Thus, the DRC claims now that the total valuation for displacement should equal:

$$([duration\ of\ displacement] \times [daily\ cost\ of\ living]) + [lump\ sum\ of\ US\$ 100\ or\ US\$ 300]$$

3.7 This formula is new. It was not mentioned in the DRC’s Memorial, which did not discuss the elements of duration or daily cost of living as additional parts of its claim for damages for displacement.<sup>89</sup> And even in its response to Question 3, the DRC appears to continue valuing instances of displacement at US\$ 300 or US\$ 100 (as the case may be) by reference only to the lump sums discussed above. In other words, it is unclear what practical purpose the DRC’s new formula is intended to serve. Be that as it may, one thing is clear: the variables in the formula are unfounded.

3.8 As regards the **duration** of displacement, the DRC presents a table with the alleged “minimum” duration of displacement per location.<sup>90</sup> For example, the minimum duration for people displaced from Kisangani is listed as six days. The

---

<sup>88</sup> DRCRQ, para. 3.17 (Translation by Counsel, original in French: “prend en compte le nombre de jours passé (sic) en forêt, multiplié par le PIB par habitant par jour (équivalent de la dépense journalière par individu au Congo)”).

<sup>89</sup> DRCM, Chapters 2, 3, 4, 7.

<sup>90</sup> DRCRQ, para. 3.7.

DRC claims that this and the other numbers stated are based on the victim identification forms and the UN Mapping Report.

3.9 According to the DRC, the victim identification forms “provide sufficient information regarding the time spent” in displacement.<sup>91</sup> But it does not point to even a single form that indicates the duration of displacement. In the limited time available to it, Uganda reviewed a sample of 187 victim identification forms relating to displacement.<sup>92</sup> Only 10.7% contained any information about the duration of the alleged displacements.<sup>93</sup> And among these, many suggest that the individuals involved were displaced for shorter periods of time than the DRC’s claimed “minimum” duration.<sup>94</sup>

3.10 The DRC also gets no support from its reference to the UN Mapping Report because that report does not contain any specific information relating to the duration of any displacements other than one statement that attacks *by elements of*

---

<sup>91</sup> DRCRQ, para. 3.7 (Translation by Counsel, original in French: “renseignent suffisamment sur le temps passé en forêt”).

<sup>92</sup> The 192 file names relating to displacement that formed part of the sample considered by Uganda are listed in Appendix 2. However, as explained in Uganda’s comments to Question 1, five of the listed files were missing from the electronic copies of the victim identification forms produced by the DRC. Uganda thus reviewed 187 victim identification forms relating to displacement.

<sup>93</sup> The file names of these forms are listed in Appendix 18.

<sup>94</sup> See, e.g., in contrast to the DRC’s claim that the minimum duration of displacement in Beni was 30 days, BENI\_SUITE2\_CCF08032016\_0006\_035 (claiming displacement for 3 days), BENI\_SUITE2\_CCF08032016\_0007\_083 (claiming displacement for two weeks), BENI\_SUITE2\_CCF08032016\_0004\_006 (claiming displacement for two weeks) (DRCRQ Annex 1.1); and in contrast to the DRC’s claim that the minimum duration of displacement in Kisangani was 6 days, KISANGANI\_SUITE1\_CCF06032016\_0007\_060 (claiming displacement for 3 days); KISANGANI\_SUITE1\_CCF06032016\_0011\_212 (claiming displacement for 4 days); KISANGANI\_SUITE1\_CCF06032016\_0011\_124 (claiming displacement for 2 days) (DRCRQ Annex 1.5).

*the FRPI* on 13 September 2002 led to the displacement of thousands of people “for several years”.<sup>95</sup>

3.11 As regards the **daily cost of living**, the DRC uses what it claims was its 2015 per capita GDP (allegedly US\$ 753.20) as a proxy<sup>96</sup> (presumably intending that it should be divided by 365 to calculate GDP/day). The DRC’s reliance on this number is misplaced for at least two reasons.

3.12 *First*, the DRC uses the wrong number for the reasons Uganda explained in its Counter-Memorial. According to World Bank data not cited by the DRC, its GDP per capita per year in 2015 was actually US\$ 475 (expressed in current US dollars), nearly 37% less.<sup>97</sup> And its 2015 GDP is not relevant to the 1998-2003 time-period. According to the World Bank, the DRC’s GDP per capita per year was US\$ 139 in 1998 and US\$ 174 in 2003 (both figures are expressed in current US dollars).<sup>98</sup>

3.13 *Second*, and more importantly, GDP per capita cannot be used as a proxy for a person’s daily cost of living. As Uganda pointed out in its Counter-Memorial, a country’s GDP is “all of the output generated within the borders of a country”, including the value generated, and income earned, by business entities and even by the government.<sup>99</sup> It is therefore much higher than the average daily cost of living of a Congolese citizen.

---

<sup>95</sup> U.N. Mapping Report Extracts, para. 413 (DRCRQ Annex 2.1).

<sup>96</sup> DRCRQ, paras. 3.8-3.9.

<sup>97</sup> UCM para. 5.162

<sup>98</sup> UCM para. 5.163.

<sup>99</sup> UCM para. 5.166.



3.14 The DRC's numbers are therefore unfounded. But even if they were founded (*quod non*), the DRC's use of a uniform average daily cost of living for all victims combined with an alleged *minimum* duration of displacement that varies by location does not meet the standard traditionally required by the Court. If the DRC is to use duration and daily cost of living as multipliers, the DRC must prove reliable numbers for each alleged victim. It cannot use the same number for a large group of hypothetical victims. As explained in the Introduction to these comments and further elaborated in Uganda's comments to Question 11, this is not a mass-claims proceeding but rather an inter-State adjudication where damages must be proved through competent evidence showing the exact injury caused by a specific wrongful act attributable to Uganda.

3.15 In support of its lump sum approach, the DRC refers to the *Diallo* case, several European Court of Human Rights Cases, and the UN Compensation Commission ("UNCC"). These references are of no help to it.

3.16 The *Diallo* and ECHR cases are inapposite because the amounts awarded in those cases were based on clear evidence of (1) specific harm, (2) caused by the State, (3) at a particular time, (4) in a particular place and (5) to an identified person. In *Diallo*, for example, the Court was presented with extensive direct evidence that Mr Diallo was mistreated and detained for a total of 72 days before being expelled by the DRC, and that such harm was the result of the DRC's violation of international law.<sup>100</sup> The Court's approach in *Diallo* does not work here because there is no specific evidence with respect to any specific victim.

3.17 The sums awarded in the ECHR cases the DRC cites were similarly based on reliable evidence proving specific harm caused by the respondent States at a

---

<sup>100</sup> UCM, para. 3.44. Although Guinea sought US\$ 250,000 for these harms, the Court awarded US\$ 85,000 based on the specific evidence regarding a specific victim before it.

particular time, in a particular place, to an identified person. The *Selmouni* case, for example, involved assault, battery and rape by the French police against an individual while he was in police custody. Mr Selmouni produced detailed medical evaluations from five different doctors showing that he had sustained multiple injuries during the time he was in custody.<sup>101</sup>

3.18 Similarly, the *Ostrovar*, *Labzov*, and *Nazarenko* cases all involved the inhuman and degrading treatment of specific, identified individuals while in detention. In *Ostrovar*, for instance, the applicant was detained in a small, overcrowded cell infected with bed bugs, lice and ants, with no heat, ventilation, or daylight and only six hours of electricity a day.<sup>102</sup> The applicant suffered from asthma, and his attacks increased because the other inmates were allowed to smoke in the cell.<sup>103</sup> He was refused medical assistance.<sup>104</sup> Moreover, the fact that the proven harm to the applicants in the *Ostrovar*, *Labzov* and *Nazarenko* cases was caused by the respondent States was not disputed.

3.19 Here, in contrast, the DRC has provided no evidence of specific harm to specific persons as a result of Uganda's internationally wrongful acts.

3.20 The DRC also refers to the UNCC, in which "it was not necessary to produce evidence of the actual losses suffered".<sup>105</sup> As stated, however, the UNCC followed a mass claims approach, which is not appropriate in the context of a traditional inter-State proceeding like this one. Mass claims proceedings typically require a

---

<sup>101</sup> *Selmouni v. France*, Case No. 25803/94, Judgment (ECtHR 28 July 1999).

<sup>102</sup> *Ostrovar v. Moldova*, Case No. 35207/03, Judgment (ECtHR 13 Sept. 2005), paras. 14, 17-21.

<sup>103</sup> *Ibid.*, para. 15.

<sup>104</sup> *Ibid.*, para. 16.

<sup>105</sup> DRCRQ, para. 3.24.

very extensive and sophisticated administrative structure to process the claims,<sup>106</sup> involving the production by each claimant of at least minimal evidence, which is then organized into a database, and can then be tested through data-matching, statistical sampling and regression analysis.

3.21 In any event, even if it were appropriate to adopt a mass claims approach before the Court (*quod non*), the DRC has failed to meet even the more limited evidentiary burden applicable in the mass claims context. The DRC itself admits that for “category A” departure claimants to receive compensation at the UNCC, “it was necessary that the flight” for each individual from Iraq or Kuwait “take place during a specific period of time”.<sup>107</sup> As such, individual named victims needed to submit to the UNCC, through their government or an international organization, at least “simple documentation of the fact and date of departure from Iraq or Kuwait” in order to qualify for compensation.<sup>108</sup> If such documentation was not provided, then the claim either was not submitted by the government/international organization, or was not accepted by the UNCC.

3.22 All told, documentation was submitted for approximately 923,000 “category A” departure claims by 77 governments and 13 offices of three international organizations. Submission of such documentation was, of course, a challenge for many governments, including developing States such as Bangladesh, Sudan and Yemen. They nevertheless were able to do so. After statistical analysis of the

---

<sup>106</sup> UCM, para. 3.54.

<sup>107</sup> DRCRQ, para. 3.24.

<sup>108</sup> U.N. Compensation Commission, *First Session of the Governing Council of the United Nations Compensation Commission*, U.N. Doc. S/AC.26/1991/1 (2 Aug. 1991), para. 11.

evidence supporting the claims, the UNCC deemed 850,000 of them to be meritorious and 73,000 to be unsupported.<sup>109</sup>

3.23 Here, however, the DRC has provided no such documentation detailing the names, location or dates of displacement. Uganda’s examination of the victim identification forms the DRC produces reveals that none are connected to corroborating documents showing the dates and circumstances of the displacements allegedly recorded. Had the DRC’s claims for displacement been submitted to the UNCC on its evidentiary standards, the claims would have been deemed unsupported and no compensation would have been awarded.

3.24 These evidentiary failures compare unfavourably with the *Katanga* case before the ICC, in which individual victims of displacement provided much more detailed information and supporting evidence. Those who were displaced provided a “refugee card” or refugee family certificate.<sup>110</sup> They also individually “allege[d] psychological harm connected to the experience of the attack on Bogoro” and some “tendered mental health certificates”.<sup>111</sup> Even then, absent further information, the Chamber was not “in a position to connect that material and/or psychological harm to the attack on Bogoro”,<sup>112</sup> and did not award reparation.

\*

---

<sup>109</sup> See U.N. Compensation Commission, *The Claims, Category A*, available at <https://uncc.ch/category> (last accessed: 3 Jan. 2019).

<sup>110</sup> *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Case No. ICC-01/04-01/07-3728, Order for Reparations pursuant to Article 75 of the Statute (ICC Trial Chamber II, 24 Mar. 2017), para. 138.

<sup>111</sup> *Ibid.*, para. 123.

<sup>112</sup> *Ibid.*, para. 138.

3.25 The DRC's response to Question 3 thus does little more than confirm that the lump sum amounts it claims in respect of displacements are unfounded and, as a result, arbitrary. The amounts it claims, and the mass claims approach they reflect, have no place in an inter-State reparation case. In the 2005 Judgment, the Court instructed the DRC that it would be required to prove the specific injury caused by specific wrongful acts attributable to Uganda. The DRC's failure to do so means that it still has not provided the Court an evidentiary basis for the award of compensation relating to displacement.



## Question 4

*Could the DRC provide the Court with evidence and explain its methodology regarding the value of damaged educational establishments, healthcare establishments, and administrative buildings, in Ituri district, due to wrongful acts attributable to Uganda?*

### **Uganda’s Comments on the DRC’s Response:**

4.1 The DRC’s response to Question 4 provides *neither* evidence *nor* an explanation concerning its methodology regarding the value of damaged educational establishments, healthcare establishments, and administrative buildings, in Ituri district, due to wrongful acts attributable to Uganda. The DRC thus effectively leaves the Court’s question unanswered.

4.2 Before addressing what the DRC does say, it is helpful to recall that in its Memorial the DRC alleged that the “average cost” of those public facilities “*may be estimated*” at:

- US\$ 75,000 for an educational establishment;<sup>113</sup>
- US\$ 75,000 for a healthcare establishment;<sup>114</sup> and

---

<sup>113</sup> DRCM, para. 7.39. As regards schools, the DRC claimed that “overall, the average cost of an educational facility may be estimated at US\$ 75,000” (Translation by Counsel, original in French: “Globalement, la valeur moyenne d’une infrastructure d’enseignement peut être estimée à 75.000 dollars des Etats-Unis”). The total amount of compensation claimed by the DRC for this item “is thus 200 x US\$ 75,000; that is, US\$ 15,000,000 (fifteen million United States dollars)” (Translation by Counsel, original in French: “est donc de 200 x 75.000 dollars, soit 15.000.000 (quinze millions) dollars des Etats-Unis”).

<sup>114</sup> DRCM, para. 7.40. In regards to health facilities, the DRC claimed that “the average cost of a health facility may be estimated at US\$ 75,000” (Translation by Counsel, original in French: “Globalement, la valeur moyenne d’une infrastructure de santé peut être estimée à 75.000 dollars des Etats-Unis”). The total amount of compensation claimed by the DRC for this item “is thus 50 x

- US\$ 50,000 for an administrative building.<sup>115</sup>

4.3 As was equally true of its Memorial, the DRC’s response to Question 4 offers no explanation, much less evidence, for these alleged “average costs”. They appear to be lump sum amounts selected at random for purposes of this litigation. The DRC does not even make an effort to ground the amounts claimed in any actual repair or reconstruction costs. This failure is all the more remarkable given that such information is entirely within the DRC’s control. If any repairs or reconstruction had actually been undertaken, as the DRC claims, the DRC should possess—and should be expected to have provided to the Court—supporting documents evidencing the costs incurred.<sup>116</sup> No such evidence is offered, however.

---

US\$ 75,000; that is, US\$ 3,750,000 (three million seven hundred fifty thousand United States dollars)” (Translation by Counsel, original in French: “est donc de 50 x 75.000 dollars, soit 3.750.000 (trois millions sept cent cinquante mille) dollars des Etats-Unis”).

<sup>115</sup> DRCM, para. 7.41. In regards to office buildings, the DRC claimed that “overall, the average cost of an office building may be estimated at US\$ 50,000”. (Translation by Counsel, original in French: “Globalement, la valeur moyenne d’une infrastructure administrative peut être estimée à 50.000 dollars des Etats-Unis”). The total amount of compensation claimed by the DRC for this item “is thus 50 x US\$ 50,000; that is, US\$ 2,500,000 (two million five hundred thousand United States dollars)” (Translation by Counsel, original in French: “est donc de 50 x 50.000 dollars, soit 2.500.000 (deux millions cinq cent mille) dollars des Etats-Unis”).

<sup>116</sup> The only two materials purporting to show the reconstruction costs of schools and hospitals are presented in DRCRQ Annex 4.2 and DRCRQ Annex 4.3. Yet the purpose of these materials, as the DRC admits, is not to prove the reconstruction costs that the DRC actually claims; rather, the DRC mentions them to show that the assessments set out in those Annexes reflect “significantly higher figures than those put forward by the DRC in its valuation”. (DRCRQ, para. 4.8.) (Translation by Counsel, original in French: “ces évaluations aboutissent à des chiffres largement supérieurs à ceux avancés par la RDC dans la présente évaluation”). Three observations are in order. *First*, this confirms once again that the DRC has no evidence supporting the values of reconstruction costs it claims in this case, thus reaffirming the conclusion that the DRC’s claim is arbitrary and unfounded. *Second*, the values alleged in the materials presented in DRCRQ Annex 4.2 and DRCRQ Annex 4.3 are also unfounded. For example, DRCRQ Annex 4.2 merely contains a summary table, prepared on 17 October 2018, with alleged reconstruction or rehabilitation costs without any underlying evidence. DRCRQ Annex 4.3 contains exactly the same material that the DRC presented in its Memorial to claim damages for places of worship in Kisangani, but Uganda has already demonstrated at paras. 7.92-7.97 of its Counter-Memorial all evidentiary and methodological flaws rendering that material incapable of proving any damages it alleged. *Finally*, the DRC strains credulity by arguing that the “higher” numbers stated in DRCRQ Annex 4.2 and DRCRQ Annex



4.4 Rather than come forward with specific evidence and an explanation for its valuation methodology, the DRC’s response is limited to making a general reference to annexes that contain “valuation lists” and “victim identification forms”.<sup>117</sup> The valuation list for all property damages in Ituri can be found in Annex 1.9.C entitled “*Evaluation pertes des biens Ituri*”. This 193-page list supposedly has been created from victim identification forms that prove damages and their valuation. Each entry on the valuation list is purportedly linked to a specific victim identification form included in an electronic file.

4.5 Yet the DRC’s valuation list makes no effort to organize information systematically based on the type of property at issue, such as educational establishments, healthcare establishments or administrative buildings. Rather, the list is essentially an unorganized, almost incomprehensible hodgepodge of entries that often cannot be traced to any such property. Nevertheless, Uganda has carefully examined all 193 pages of the valuation list and managed to associate 33 scattered references on the list to underlying victim identification forms that allege damage to public institutions in Ituri. Analysis of this very limited set of matching information reveals that *neither* the valuation list *nor* the victim identification forms support the claimed amounts (or any other amount) for the reasons explained below.<sup>118</sup>

---

4.3 somehow prove that the DRC’s “lower” numbers are reasonable: the DRC cannot use unproven reconstruction/rehabilitation costs as a justification for its equally unproven and arbitrary reconstruction/rehabilitation costs.

<sup>117</sup> DRCRQ, paras. 4.2, 4.3.

<sup>118</sup> Importantly, the DRC does not even rely on “victim identification forms” to support its damages. As shown in Uganda’s Counter-Memorial, the DRC simply presents unsupported numbers of allegedly damaged public institutions and multiplies those numbers by the arbitrary lump sum amounts. *See* UCM, paras. 7.35-7.48

4.6 As regards **educational establishments**, Uganda has identified 19 entries on the valuation list that summarize damages associated with victim identification forms, which in turn relate to 25 educational establishments.<sup>119</sup> One such entry can be found on page 47, which lists the following alleged damages to a primary school and institute in Kabona:

| VICTIME : ECOLE PRIMAIRE ET INSTITUT KABONA |                    | ITURI SUITE_CCF04032016_0054_018 |          |                   |
|---|--------------------|----------------------------------|----------|-------------------|
| N°  | LIBELLE BIEN       | PRIX UNITAIRE                    | QUANTITE | PRIX TOTAL        |
| 1   | SALLE DE CLASSE ET | 860000.0                         | 1        | 860000.0          |
| <b>Total Partiel:</b>                       |                    |                                  |          | <b>860000.0\$</b> |

4.7 The damages valued at US\$ 860,000 are nominally based on the victim identification form in the file “ITURI\_SUITE\_CCF04032016\_0054\_018”. That file contains the following form:

---

<sup>119</sup> Compare this to the alleged 200 educational establishments with respect to which the DRC claims compensation in its Memorial (DRCM, para. 7.39.). *See also* UCM, paras. 7.36-7.38 (showing that the DRC’s allegation that Uganda is responsible for the destruction of 200 schools in Ituri is unfounded).

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de  
 la guerre d'agression par l'Ouganda



Dossier n° .....

Dossier n° .....

FORMULAIRE F

**FICHE D'IDENTIFICATION DE LA VICTIME**  
 > **VICTIME : ETAT CONGOLAIS/PROVINCES**

1. Structure : ECOLE PRIMAIRE KABONA  
INSTITUT DE KABONA

2. Localisation : KABONA / GROUPEMENT DES BOLEMA / COMMUNITE CHEFFERIE  
BES. VALEMBU - RIMA / TERRITOIRE NIIRUMA

3. Dommages subis :

| Nature  | Date          | Auteurs présumés         |
|---|---------------|--------------------------|
| 1. ECOLE PRIMAIRE KABONA - INCENDIEE:<br>- BOUZE SALLES DE CLASSE + BUREAU<br>- INSTALLATION SANITAIRE: 250.000 G. US<br>- JARDINS SOLAIRES: 160.000 G. US<br>TOT = 410.000 G. US | LE 15/02/2002 | ARMEE OUGANDAISE<br>UPDF |
| 2. INSTITUT DE KABONA - INCENDIEE:<br>- SIX SALLES DE CLASSE + BUREAU +<br>INSTALLATION SANITAIRE: 320.000 G. US<br>- JARDINS SOLAIRES: 130.000 G. US<br>TOT = 450.000 G. US      |               |                          |

Lieu et date d'identification :

Signatures :

|   |  |                 |
|---|--|-----------------|
| Nom Enquêteur :<br><u>TOGUNELO</u>          | Fonction officielle :<br><u>IRS en chef</u>                        | Signature :<br> |
| Nom du Déclarant :<br><u>KAMARAKI AVEBA</u> | Profession :<br><u>PRESIDENT DU COMITE DE DEVELOPPEMENT/BOLEMA</u> | Signature :<br> |
| Nom Interprète :<br><u>y</u>                | Profession :   | Signature :     |
| Autre personne présente :                   | Profession :   | Signature :     |

4.8 This victim identification form appears to have no connection to the DRC's assertion that it is entitled to a lump-sum amount of US\$ 75,000 for damage to an educational establishment. In addition, it contains nothing more than summary assertions; no supporting documentation of any kind is offered, whether in the form of a detailed affidavit, photographs, or invoices for reconstruction or repair costs.

4.9 As the Court recently made clear in another case, such conclusory assertions standing alone cannot support a claim for damages;<sup>120</sup> this is especially so in the context of very large amounts sought for property damage where evidence of harm should be readily available. In its Judgment on compensation in *Costa Rica v. Nicaragua*, the Court refused to award compensation for damages alleged where the claimant failed to clarify and support the nature, extent and valuation of damages with documentary evidence.<sup>121</sup> By contrast, the Court found that evidence in the form of numbered and dated invoices, with cost breakdowns and confirmations of payment has probative value and can prove claimed amounts.<sup>122</sup> The DRC presents no such evidence with the above victim identification form—or, indeed, any other form alleging damages to public institutions in Ituri.

4.10 Another entry on page 51 of the valuation list that purports to summarize the damages to an educational facility illustrates recurring flaws in this list and the

---

<sup>120</sup> *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, Compensation Judgment, I.C.J. (2 Feb. 2018), para. 103.

<sup>121</sup> *Ibid.*, para. 143.

<sup>122</sup> *Ibid.*, paras. 99, 124.

underlying forms, which undermine this element of the DRC’s claims. The entry reads:

| <b>VICTIME : EP MARABO EP MUSEZO EP</b> |                          | <b>ITURI_SUITE_CCF04032016_0057_016</b> |                 |                   |
|---|--------------------------|---|-----------------|-------------------|
| <b>N°</b>                               | <b>LIBELLE BIEN</b>      | <b>PRIX UNITAIRE</b>                    | <b>QUANTITE</b> | <b>PRIX TOTAL</b> |
| 1                                       | FOURNITURE SCOLAIRE      | 3000.0                                  | 1               | 3000.0            |
| 2                                       | HABITATION LEGERE        | 300.0                                   | 21              | 6300.0            |
| 3                                       | MACHINE A ECRIRE         | 150.0                                   | 3               | 450.0             |
| 4                                       | MATERIEL DIDACTIQUE      | 6000.0                                  | 1               | 6000.0            |
| 5                                       | MOBILIER SCOLAIRE        | 15000.0                                 | 1               | 15000.0           |
| 6                                       | PRODUIT DE JARDIN        | 3000.0                                  | 1               | 3000.0            |
| 7                                       | SALLE DE CLASSE DETRUITE | 5000.0                                  | 12              | 60000.0           |
| 8                                       | USTENCILS DE CUISINE     | 200.0                                   | 1               | 200.0             |
| 9                                       | VELO                     | 100.0                                   | 3               | 300.0             |
| <b>Total Partiel:</b>                   |                          |   |                 | <b>94250.0\$</b>  |

4.11 For ostensible support, reference is made to a victim identification form in the file “ITURI\_SUITE\_CCF04032016\_0057\_016”, reproduced below:

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de  
 la guerre d'agression par l'Ouganda



Dossier n° .....

Dossier n° .....

FORMULAIRE F

**FICHE D'IDENTIFICATION DE LA VICTIME**

➤ **VICTIME : ETAT CONGOLAIS/PROVINCES**

1. Structure : ... *E.P. MARABO - E.P. MUREZO - E.P. NEBULANZARO* .....

2. Localisation : ... *MARABO - MUREZO - NEBULANZARO* .....

..... *COLLECTIVITE DES MIBALA, TERRITOIRE N'IRUMU* .....

3. Dommages subis :

| Nature   | Date                   | Auteurs présumés           |
|--|------------------------|----------------------------|
| <ul style="list-style-type: none"> <li>- Bâtements scolaires</li> <li>- Mobiliers scolaires.</li> <li>- Manuels + Fournitures scolaires,</li> <li>- Matériels didactiques</li> <li>- 3 Machines à écrire + 3 vélos,</li> <li>- 21 maisons; Directeurs + Enseignants</li> <li>- Ustensiles - Mobiliers et autres...</li> <li>- Produits des jardins scolaires.</li> </ul> | <i>05/09/2002-2004</i> | <i>F.R.P.I.<br/>U.P.C.</i> |

7. Lieu et date d'identification : *MARABO, le 11 Octobre 2008.*

Signatures :

|  |   |                                   |
|--|---|-----------------------------------|
| Nom Enquêteur :<br><i>MUSUSA-ORBA Andel</i>                    | Fonction officielle :<br><i>Comd Supr Ciel Pric</i> | Signature :<br><i>[Signature]</i> |
| Nom du Déclarant :<br><i>MUBUBI NGONSIJABO<br/>Symphonien.</i> | Profession :<br><i>DIRECTEUR D'ECOLE</i>            | Signature :<br><i>[Signature]</i> |
| Nom Interprète :<br><i>?</i>                                   | Profession :  | Signature :                       |
| Autre personne présente :                                      | Profession :<br><i>CONJUGES PARENTS</i>             | Signature :                       |

4.12 The form does not contain the “valuation” numbers (or, indeed, any numbers) “summarized” in the “valuation list”. Rather, the “valuation” numbers

that appear on the list appear to have been invented by whoever prepared the list, presumably for purposes of this case.

4.13 The Court will note also that the form reproduced above does not even purport to ascribe responsibility for the alleged damages to Uganda. The “alleged perpetrators” are identified as the “F.R.P.I.” and “U.P.C.”. Nor does it hint at any information showing that the damages alleged were caused as a result of Uganda’s failure to exercise its duty of due diligence as an occupying power in Ituri. Such flaws afflict all of the remaining 17 forms related to educational establishments. As a result, none of them can justify an award of compensation.<sup>123</sup>

4.14 Similar shortcomings permeate the entries on the “valuation list” in Annex 1.9.C linked to three victim identification forms that Uganda has identified concerning damages to **healthcare facilities**. These three forms refer to two

---

<sup>123</sup>See the “victim identification forms” mentioned in DRCRQ Annex 1.9.C: ITURI\_SUITE\_CCF04032016\_0053\_002, p. 42; ITURI\_SUITE\_CCF04032016\_0054\_001, p. 46; ITURI\_SUITE\_CCF04032016\_0055\_021, p. 46; ITURI\_SUITE\_CCF04032016\_0054\_010, p. 46; ITURI\_SUITE\_CCF04032016\_0059\_008, p. 46; ITURI\_SUITE\_CCF04032016\_0057\_018, p. 47; ITURI\_SUITE\_CCF04032016\_0056\_016, p. 47; ITURI\_SUITE\_CCF04032016\_0054\_005, p. 47; ITURI\_SUITE\_CCF04032016\_0054\_012, p. 47; ITURI\_SUITE\_CCF04032016\_0054\_014, p. 47; ITURI\_SUITE\_CCF04032016\_0055\_019, p. 47; ITURI\_SUITE\_CCF04032016\_0054\_008, p. 47; ITURI\_SUITE\_CCF04032016\_0057\_006, p. 47 (this form has no specific date when the alleged damages occurred to verify whether they even fall within the *ratione temporis* scope of the 2005 Judgment; nor does it list, let alone prove, any valuations, which shows that the valuations “summarized” in the “valuation list” are thus unfounded and arbitrary.); ITURI\_SUITE\_CCF04032016\_0054\_003, p. 48; ITURI\_SUITE\_CCF04032016\_0059\_002, p. 48 (this form does not state any valuations, which shows that valuations “summarized” in the “valuation list” are thus unfounded and arbitrary.); ITURI\_SUITE\_CCF04032016\_0054\_007, p. 50 (in addition to other flaws, this form does not state a date necessary to verify whether the alleged damages fall within the *ratione temporis* scope of the 2005 Judgment); ITURI\_SUITE\_CCF04032016\_0054\_002, p. 61 (DRCRQ Annex 1.9.C).

hospitals and one dispensary.<sup>124</sup> For example, page 47 of the valuation list contains the following entry:

| VICTIME : DISRTRICT SANITAIRE DE DJUGU |                      | ITURI_SUITE_CCF04032016_0056_018 |                       |                    |
|--|----------------------|----------------------------------|-----------------------|--------------------|
| N°                                     | LIBELLE BIEN         | PRIX UNITAIRE                    | QUANTITE              | PRIX TOTAL         |
| 1                                      | CONGELATEUR          | 600.0                            | 5                     | 3000.0             |
| 2                                      | EQUIPEMENTS MEDICAUX | 3000000.0                        | 1                     | 3000000.0          |
| 3                                      | HOPITAL              | 200000.0                         | 6                     | 1200000.0          |
| 4                                      | MOTO                 | 800.0                            | 3                     | 2400.0             |
| 5                                      | PANNEAU SOLAIRE      | 1500.0                           | 10                    | 15000.0            |
|  |                      |                                  | <b>Total Partiel:</b> | <b>4220400.0\$</b> |

4.15 The damages alleged are nominally based on a victim identification form in the file “ITURI\_SUITE\_CCF04032016\_0056\_018”. This file contains the following form:

---

<sup>124</sup> Compare this to the alleged 50 medical institutions with respect to which the DRC claims compensation in its Memorial (DRCM, para. 7.40.). *See also* UCM, paras. 7.41-7.42 (showing that the DRC’s allegation that Uganda is responsible for the destruction of 50 medical institutions in Ituri is unfounded).





Dossier n° .....

FORMULAIRE F

**FICHE D'IDENTIFICATION PREJUDICES**

➤ **VICTIMES : ETAT CONGOLAIS / PROVINCES**

1. Structure : DISTRICT SANITAIRE DE DJUGU
2. Localisation : PROVINCE ORIENTALE, DISTRICT DE LITURI,  
TERRITOIRE DE DJUGU
3. Dommages Subis :

| Nature  | Date                  | Auteurs présumés |
|---|-----------------------|------------------|
| 1 PILLAGE DE GHORTAUX<br>(- 1200 000 \$)  | mai à juillet 2003    | UPDF, FNI,       |
| 2 INCENDIE ET DESTRUCTION<br>DES HOPITAUX   | DE 1999 à 2003        | UPDF, FNI, UPC   |
| 3 - DESTRUCTION DES EQUIPE-<br>MENTS MEDICAUX DANS<br>LES HOPITAUX (TABLES d'OPERA-<br>TION, LAMPES scintilliques,<br>Appareil d'anesthésie,<br>Appareil de RADIOGRAPHIE,<br>Appareil d'ELECTRO CARDIO-<br>GRAMME, Appareil de PHONIE-<br>E, Motorola de communication,<br>Limon, MEDICAMENTS (3.000.000\$) | DE MAI à juillet 2003 | UPDF, FNI, UPC   |
| 4. VOL DE 3 NOTRS (9.000 \$)  | juin 2003             | FNI, UPC         |
| 5. DESTRUCTION DES FRIGO<br>(15000 \$)  | juillet 2003          | FNI              |
| 6. VOL DESTRIPIEUX<br>SALAIRE (15.000 \$)   | juillet 2003          | FNI              |

4.16 This victim identification form appears to have no connection to the DRC's assertion that it is entitled to a lump-sum amount of US\$ 75,000 for damage to a healthcare facility. Further, although this form, unlike the previous one, does contain a reference to the UPDF as an "alleged" (*présumés*) perpetrator, other possible perpetrators are also indicated. It is unclear whether this is intended to mean that Uganda is a possible perpetrator, that it acted in conjunction with other parties or some other possibility. Uganda and the Court are left to guess.

4.17 Moreover, like all the other victim identification forms, this conclusory form is untethered to any supporting documentation or other evidence proving the claimed valuation or the identity of the alleged perpetrator(s). It therefore provides no support for the damages claimed. The same is true of the remaining two victim identification forms that refer to one other hospital and a dispensary.<sup>125</sup>

4.18 As regards **administrative buildings**, Uganda determined that the valuation list in Annex 1.9.C refers to eleven victim identification forms alleging damage to administrative buildings, one administrative complex, three prisons and about eleven unspecified buildings or offices.<sup>126</sup>

4.19 For example, page 21 of the valuation list contains the following entry relating to an administrative building:

---

<sup>125</sup> See the "victim identification forms" mentioned in DRCRQ Annex 1.9.C: ITURI\_SUITE\_CCF04032016\_0053\_006, p. 42; ITURI\_SUITE\_CCF05032016\_0003 (2)\_005, p. 58.

<sup>126</sup> Compare this to the alleged 50 administrative buildings with respect to which the DRC claims compensation in its Memorial (DRCM, para. 7.41). See also UCM, paras. 7.43-7.44 (showing that the DRC's allegation that Uganda is responsible for the destruction of 50 medical institutions in Ituri is unfounded).

|  |                     |                                  |                       |                    |
|--|---------------------|----------------------------------|-----------------------|--------------------|
| <b>VICTIME :</b> BATIMENT ADM DE LA CITE DEBUNIA ITURI |                     | ITURI_SUITE_CCF04032016_0053_015 |                       |                    |
| <b>N°</b>  | <b>LIBELLE BIEN</b> | <b>PRIX UNITAIRE</b>             | <b>QUANTITE</b>       | <b>PRIX TOTAL</b>  |
| 1  | QUARTIER            | 750000.0                         | 12                    | 9000000.0          |
|  |                     |                                  | <b>Total Partiel:</b> | <b>9000000.0\$</b> |

4.20 The alleged damages valued at US\$ 900,000 are linked to the form in the file “ITURI\_SUITE\_CCF04032016\_0053\_015”, reproduced below:

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS

Cabinet du Ministre

Commission d'Evaluation du Préjudice subi par la R.D.C. lors de  
 la guerre d'agression par l'Ouganda



Dossier n°

Dossier n°

FORMULAIRE F

FICHE D'IDENTIFICATION DE LA VICTIME

> VICTIME : ETAT CONGOLAIS

1. Structure : BÂTIMENTS ADMINISTRATIFS DE CITE DE BUNIA  
 PROVINCE ORIENTALE, DISTRICT DE USTURI

Localisation : CITE DE BUNIA

3. Dommages subis :

| Nature  | Date       | Auteurs présumés                                    |
|---|------------|---|
| - Bâtiments Administratifs de la Cité de Bunia ainsi que de 12 quartiers composant la Cité ont été détruits.<br>- les archives et immeubles endommagés et incendiés | 06/05/2003 | Armée Ougandaise dirigée par le général KALE KAHURA |

7. Lieu et date d'identification : BUNIA, le 20/01/2008

Signatures :

|  |   |                       |
|--|---|-----------------------|
| Nom Enquêteur :<br>TOBUNELU                          | Fonction officielle :<br>IAS en Chef                    | Signature :<br>101108 |
| Nom du Déclarant :<br>Edmond TONDANDA-<br>PANKI RABO | Profession :<br>chef de la Cité Intérimaire<br>de Bunia | Signature :           |
| Nom Interprète :                                     | Profession :  | Signature :           |
| Autre personne présente :<br>BANGAMUZI - Egide       | Profession :<br>chef de Quartier SIKUSA                 | Signature :           |

4.21 This victim identification form appears to have no connection to the DRC’s assertion that it is entitled to a lump-sum amount of US\$ 50,000 for damage to an administrative building. As was the case with the victim identification forms associated with education establishments and healthcare facilities, this form is also entirely conclusory. It contains no information let alone underlying evidence, that might prove the extent of the damages or who caused them. Nor does it state, let alone prove, the value allegedly “summarized” in the valuation list. The alleged claim for US\$ 900,000 is thus wholly unfounded.<sup>127</sup>

4.22 Page 35 of the valuation list has the following entry for an “administrative complex”:

| VICTIME : CHEFFERIE DES BASILI |                        | ITURI_SUITE_CCF04032016_0054_033 |          |            |
|--------------------------------|------------------------|----------------------------------|----------|------------|
| N°                             | LIBELLE BIEN           | PRIX UNITAIRE                    | QUANTITE | PRIX TOTAL |
| 1                              | COMPLEXE ADMINISTRATIF | 18000.0                          | 1        | 18000.0    |
| Total Partiel:                 |                        |                                  |          | 18000.0\$  |

4.23 The alleged damages in the amount of US\$ 18,000 are linked to the form in the file “ITURI\_SUITE\_CCF04032016\_0054\_033” appearing below:

---

<sup>127</sup> See also other examples in DRCRQ Annex 1.9.C: ITURI\_SUITE\_CCF04032016\_0059\_024, p. 32, (this victim identification form has neither underlying evidence for the alleged damages nor valuation numbers, but the “valuation list” arbitrarily assigns the value of US\$ 55,800); ITURI\_SUITE\_CCF04032016\_0057\_010, p. 5 (this victim identification form has no evidence or valuations are stated in the form, yet the “valuation list” alleged damages amounting to US\$ 10,150).

REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de  
 la guerre d'agression par l'Ouganda

Dossier n° ..... Dossier n° .....

FORMULAIRE F

**FICHE D'IDENTIFICATION DE LA VICTIME**

> **VICTIME : ETAT CONGOLAIS/PROVINCES**

1. Structure : ... CHEFFERIE DES BASILI .....

Localisation : ... KOMANDA CENTRE .....

3. Dommages subis :

| Nature  | Date       | Auteurs présumés        |
|---|------------|-------------------------|
| 1. Destruction du complexe Administratif                    | 13-08-2008 | U.P.C. FR.P.I. U.P.D.F. |
| 2. Machine à écrire grand chaudi                            |            |                         |
| 3. Tous les dossiers et Archives incendiés.                 |            |                         |
| 4. Tous les immeubles incendiés                             |            |                         |
| <u>Réhabilitations</u><br>18.000 \$ Dix huit mille dollars. |            |                         |

7. Lieu et date d'identification :

Signatures :

|                           |                                 |             |
|---------------------------|---------------------------------|-------------|
| Nom Enquêteur :           | Fonction officielle :           | Signature : |
| <u>Comité Sibat</u>       | <u>Comité Sibat Pare K'ora</u>  |             |
| Nom du Déclarant :        | Profession :                    | Signature : |
| <u>KATANDA BO MULINDA</u> | <u>chef de chefferie BASILI</u> |             |
| Nom Interprète :          | Profession :                    | Signature : |
| <u>Y</u>                  |                                 |             |
| Autre personne présente : | Profession :                    | Signature : |
| <u>KATANDA BO MULINDA</u> | <u>chef de chefferie BASILI</u> |             |

4.24 Again, this victim identification form appears to have no connection to the DRC’s assertion that it is entitled to a lump-sum amount of US\$ 50,000 for damage to an administrative building. It is also as unsupported by evidence, whether as to the extent of the claimed damages, their valuation or the identity of the alleged perpetrator, as all the others. If the alleged “rehabilitation costs” were actually incurred, the DRC should be expected to provide actual evidence, but it has not done so.

4.25 Importantly, the form also states that the alleged damages occurred on 13 August 2008, five years after UPDF troops withdrew from Ituri. Such a basic error (attributing to Uganda conduct that allegedly occurred when it was not even in the DRC) not only undermines the credibility of this particular form, it raises serious questions about the DRC’s entire process in collecting its “victim identification forms”.

4.26 Another illustrative entry comes from page 57 of the valuation list, which contains the following summary of damages allegedly caused to a “building”, “office” and “prison”:

| VICTIME : GROUPEMENT MATAMBI |              | ITURI_SUITE_CCF04032016_0057_020 |          |                  |
|------------------------------|--------------|----------------------------------|----------|------------------|
| N°                           | LIBELLE BIEN | PRIX UNITAIRE                    | QUANTITE | PRIX TOTAL       |
| 1                            | BATIMENT     | 5000.0                           | 1        | 5000.0           |
| 2                            | BUREAU       | 5000.0                           | 1        | 5000.0           |
| 3                            | PRISON       | 5000.0                           | 1        | 5000.0           |
| <b>Total Partiel:</b>        |              |                                  |          | <b>15000.0\$</b> |

4.27 The alleged damages assessed at US\$ 5,000 for each of these administrative buildings are nominally based on a victim identification form contained in the file “ITURI\_SUITE\_CCF04032016\_0057\_020”. Here is what this form actually says:



REPUBLIQUE DEMOCRATIQUE DU CONGO  
 MINISTERE DE LA JUSTICE ET DROITS HUMAINS  
 Cabinet du Ministre  
 Commission d'Evaluation du Préjudice subi par la R.D.C. lors de  
 la guerre d'agression par l'Ouganda



Dossier n° .....

Dossier n° .....

FORMULAIRE F

**FICHE D'IDENTIFICATION DE LA VICTIME**

> **VICTIME : ETAT CONGOLAIS/PROVINCES**

1. Structure : GROUPEMENT M.H.T.N.M.B.I.

2. Localisation : MUTUMBI, CHEFFERIE BANAMA - BANYWAGU, TERR. DE NITUNU, DIST. FUKU, PR. ORIENTALE

3. Dommages subis :

| Nature  | Date      | Auteurs présumés |
|---|-----------|------------------|
| - BIEN - 10M/8M<br>- PRISON - 10M/8M<br>- BATIMENT DE PERSONNEL<br>- SREFFA<br>- EFATA CIVIL<br>- COLLECTEUR<br>- RESIDENCE DE CHEF DE GROUPEMENT | 27-6-2002 |                  |

7. Lieu et date d'identification : A MATIRO, le 05-10-2008

Signatures :

|  |   |                 |
|--|---|-----------------|
| Nom Enquêteur :<br><u>TOBUNELO</u>                 | Fonction officielle :<br><u>IAJ en Chef</u>     | Signature :<br> |
| Nom du Déclarant :<br><u>BASA-RUMINDA</u>          | Profession :<br><u>CHEF DE GROUPEMENT</u>       | Signature :<br> |
| Nom Interprète :<br><u>OSILO-MBOLA</u>             | Profession :<br><u>ANCIEN CHEF DE CHEFFERIE</u> | Signature :<br> |
| Autre personne présente :<br><u>MUTUMBI-KALIRO</u> | Profession :<br><u>Chef de GROUPEMENT</u>       | Signature :<br> |



4.28 This bare form does nothing to help the DRC. In addition to not ascribing the alleged damages to Uganda (or anyone else), it does not even mention the “valuation” numbers stated in the “valuation list”. These numbers appear to have been plucked from out of a hat.<sup>128</sup> Indeed, for all three prisons and about eleven unspecified offices or buildings listed in the valuation list, the same price—US\$ 5000—is claimed.<sup>129</sup> It is facially implausible that precisely the same quantum of damage was caused to different buildings. Moreover, such numbers undermine the arbitrarily claimed lump-sum amount of US\$ 50,000 for all administrative buildings.

\*

4.29 In conclusion, the DRC’s response to Question 4 provides no explanation, much less evidence, to support the alleged “average costs” for the damages claimed (US\$ 75,000 for an educational establishment, US\$ 75,000 for a healthcare establishment and US\$ 50,000 for an administrative building).

---

<sup>128</sup> See also other “victim identification forms” in DRCRQ Annex 1.9.C: ITURI\_SUITE\_CCF04032016\_0057\_026, p. 35 (the form does not state any values for any category of the alleged damages, but the “valuation list” assigns the valuation of US \$ 15000); ITURI\_SUITE\_CCF04032016\_0057\_022, p. 57 (the form does not state values for prison or office but only alleged unspecified costs of US\$ 20,000 for some structures.)

<sup>129</sup> See DRCRQ Annex 1.9.C: ITURI\_SUITE\_CCF04032016\_0054\_033, p. 35.; ITURI\_SUITE\_CCF04032016\_0055\_015, p. 48, *ibid*; ITURI\_SUITE\_CCF04032016\_0057\_008, p. 56; ITURI\_SUITE\_CCF04032016\_0057\_020, p. 57; ITURI\_SUITE\_CCF04032016\_0054\_035, p. 57 (this victim identification form ascribes damages to “UPC-APC-FRPI”; the form also claims US \$ 3000 as a lump sum amount alleged at the end of a general property list, but the “valuation list” “summarizes” damages in the amount of US \$ 3500, broken down among three categories of buildings not specified in the victim identification form.); ITURI\_SUITE\_CCF04032016\_0054\_029, p. 158 (the victim identification form alleges without any evidence the damages in the amount of US\$ 8300, but the “valuation list” “summarizes” the alleged damages as amounting to US\$ 10,000).



## Question 5

*Could the DRC provide the Court with evidence regarding the locations, ownership, average production, and concessions or licenses for each mine and forest for which it claims compensation for illegal exploitation by Uganda?*

### **Uganda's Comments on the DRC's Response:**

5.1 Question 5 asks the DRC to present the kinds of evidence normally required in inter-State proceedings to prove the existence and valuation of damages for illegal exploitation of natural resources.<sup>130</sup> The DRC's response does not do that. It does not provide any specific evidence as to the (1) location, (2) ownership, (3) average production, or (4) concessions or licenses for *any* mine or forest, let alone for each mine or forest for which it claims compensation.

#### **I. The DRC Fails to Provide the Requested Evidence Concerning Mines**

5.2 The DRC's response to Question 5 provides *no* evidence showing the location, ownership, average production, or concessions or licenses for *any* gold mine, coltan mine or diamond mine where exploitation was carried out as a result of wrongful acts attributable to Uganda.

5.3 As regards the **location** of each mine, the DRC should have presented, at the very least, documentary evidence identifying the mines where it alleges that illegal exploitation for which Uganda is responsible occurred. This could have been done based on maps or surveys developed by the government or mining companies indicating the exact location of the mines, which typically would exist

---

<sup>130</sup> For the discussion of requirements under international law to prove damages for illegal exploitation of natural resources, *see* UCM, paras. 8.4-8.7.

for purposes of purchase/sale, transport of minerals or logistical support. In addition, the DRC might also have submitted contemporaneous accounts by persons with direct knowledge proving the seizure of each mine, such as the owner, the operator or chief engineer.

5.4 Rather than do that, the DRC refers to two unauthenticated maps prepared by third parties based on unverifiable data. “Map No.1” (at page 17 of the DRC response) is an untitled and undated map that appears to have been prepared by the International Peace Information Service (“IPIS”).<sup>131</sup> The DRC also presents “Map No.2A” (at page 19 of the DRC response), which is also untitled and appears to have been prepared in 2005.<sup>132</sup>

5.5 The DRC does not present either map to prove the location of the mines for which it seeks compensation, but merely as evidence of “the various kinds of mineral ore ... that are present in the area that was under the control of or under occupation by Uganda”.<sup>133</sup> Even if the two maps could be relied upon, they do no more than generally indicate the areas where ores of various types may be found, not the location of specific mines, let alone mines exploited by or on behalf of Uganda. They therefore do nothing to answer the Court’s question.

5.6 Nor do these two maps even broadly compare the general locations of mineral deposits with the locations of Ugandan soldiers, as the DRC incorrectly

---

<sup>131</sup> DRCRQ, para. 5.3.

<sup>132</sup> DRCRQ, para. 5.3. The author of the map is illegible due to the poor quality of the image that the DRC produced.

<sup>133</sup> DRCRQ, para. 5.4 (Translation by Counsel, original in French : “La carte n°1 présente les différents minerais que l’on rencontre à la partie Est de la RDC et surtout, ceux qui sont présents dans la zone qui était sous contrôle ou simplement sous occupation ougandaise. La légende énumère et vous ramène sur les zones précises où l’on peut rencontrer ces minerais. Ceci est la preuve que les militaires ougandais occupaient des zones riches en minerais”).

claims.<sup>134</sup> And even if the DRC had presented such a map, that by itself would not constitute proof that Uganda illegally exploited Congolese mineral resources. Just because UPDF soldiers may have been present in a given location at a given time, it does not follow that Uganda necessarily is responsible for any and all losses in that location. Much more is required to establish proximate cause.<sup>135</sup>

5.7 As regards the **ownership** of each mine, the DRC should have come forward with documentary evidence showing whether each mine was State-owned or privately owned and, if the latter, by whom. This could easily be established through contemporaneous government reports, title documents, licenses or tax records. Here again, the DRC presents no such evidence. Indeed, its response to Question 5 does not even bother to address the issue of ownership in any way.

5.8 Uganda considers it critical to know whether a mine is privately owned or owned by the State to determine how to measure damages. The measure of any loss to the DRC from the illegal exploitation of mineral resources is *not* the commercial value of the minerals, as the DRC erroneously claims.<sup>136</sup> Rather, it is the net loss in value to the State from the exploitation of those resources. If the State owned the mine, the loss to the DRC would be the value of extracted minerals less the costs incurred in extracting and transporting those minerals for sale.<sup>137</sup> If a private party owned the mine, the DRC's loss would be limited to foregone tax income, royalties or other fees payable to the State.

---

<sup>134</sup> DRCRQ, para. 5.4.

<sup>135</sup> UCM, Chapter 8.I.B-C.

<sup>136</sup> DRCM, para. 5.58.

<sup>137</sup> If the gold mine is owned and operated by a Congolese private company, the DRC must also establish that the company has been continuously of its nationality from the date of the injury until at least the presentation of the State's claim.

5.9 As regards the **average production** of each mine, the DRC should have submitted, for example, business records and/or other documentary materials generated in the regular course of operations evidencing annual production figures of each mine during the years leading up to its seizure and, where possible, during the seizure. Such materials are critical because valuation of the harm from lost resources can be proven based on prior years of extraction of the resource from each mine, discounted by the costs of extraction and taking into account any changed circumstances (such as damage to the mine from the conflict).

5.10 Instead of coming forward with the requested evidence, the DRC makes a haphazard allegation relating solely to production of three gold mines (it says nothing about production of coltan or diamonds). In particular, the DRC alleges—without specifying the time period—that “the average production” of gold was “on the order of 5,112 kg of gold per year distributed as follows: 3,600 kg per year for the Gorumbwa Mine, 432 Kg per year for the Durba and 1,080 kg per year for the Adidi mines”.<sup>138</sup>

5.11 For support, the DRC cites to the French version of a Human Rights Watch report.<sup>139</sup> But that report does not state the propositions for which it is cited; it provides none of the production figures the DRC asserts. (Uganda also checked the English version of the report but it, too, contains nothing to support the DRC’s allegations.) Notably, this is the only place in the DRC’s response to the Court’s question where it even mentions the Gorumbwa, Durba and Adidi Mines. Nowhere does it make any serious effort to adduce any evidence demonstrating the location, ownership, and related concessions or licenses of these mines.

---

<sup>138</sup> DRCRQ, para. 5.18 (*citing* Human Rights Watch, *The Curse of Gold* (DRCRQ Annex 5.5)).

<sup>139</sup> Human Rights Watch, *The Curse of Gold* (DRCRQ Annex 5.5).

5.12 The DRC also turns to unrelated statistical data concerning Uganda's alleged export of gold (again, it says nothing about coltan or diamonds).<sup>140</sup> In the first instance, Uganda observes that the new data put forward in the DRC's Response is as incorrect as the data mentioned in the DRC's Memorial. Uganda presented the correct data on its production and export of gold in its Counter-Memorial.<sup>141</sup> Secondly, Uganda also explained in its Counter-Memorial why the DRC's misguided attempt to use Uganda's export of gold and other minerals to prove the injury the DRC allegedly suffered should be rejected.<sup>142</sup> The DRC's response to Question 5 makes no effort to rebut those explanations. Uganda will therefore not burden the Court by repeating them here.

5.13 Finally, as regards the **concessions or licenses** for each mine, the DRC equally fails to produce any evidence. No copies of actual concessions or licences for any mine, much less each of them, is presented. This omission is all the more conspicuous given the DRC's express admission in its response to Question 5 that it gave authorizations to different entities to exploit mineral resources.<sup>143</sup> Uganda also regards the issue of concessions or licenses as of extreme importance, for if the mines at issue were operated non-State owned entities, then the harm to the DRC can only be measured by lost taxes, royalties or fees, not by the commercial value of the minerals extracted.

5.14 Rather than come forward with documentary evidence of the concessions or licenses relating to each of the mines, the DRC instead presents a mishmash of completely irrelevant maps or other materials. Thus, in Annex 5.1, the DRC

---

<sup>140</sup> DRCRQ, para. 5.10.

<sup>141</sup> UCM, paras. 8.59-8-95.

<sup>142</sup> UCM, paras. 8.59-8-95.

<sup>143</sup> DRCRQ, para. 5.17.

presents an incomplete map entitled “*Carte des concessions minières du Congo et du Rwanda-Burundi*”.<sup>144</sup> This map purports to show mineral concessions of the Belgian Congo and Rwanda-Burundi as of *June 1960*. It goes without saying that this nearly 60-year old map is irrelevant to the issue at hand.

5.15 The DRC also refers to Map 7A (at page 27 of its responses), which purports to show the location of three putative concessions of KILO-MOTO.<sup>145</sup> This map has no date, no name, no source, no supporting materials underlying the information on that map, no connection to any concession and no information about the average production of mineral resources. It even does not show which mineral resources are covered within the areas of the alleged concessions. It therefore adds nothing to the DRC’s claim.

5.16 The same is true about materials the DRC includes in Annex 5.9, which are grouped there as Annex 3, Annex 4, Annex 5 and Annex 6. Nothing in those annexes answers the Court’s question either.

5.17 In Annex 3, the DRC includes two undated maps that appear to have been prepared by the mining company Barrick Gold Corporation. One map, entitled “*Localisation des Zones Exclusives de Recherches et des Concessions*”, purports to show the areas of Barrick’s “concessions”, Barrick’s “exclusive zones”, “retroceded concessions” and “Kimin’s concession”. The other map, entitled “*Détails des Limites Sud-Est des Concessions et des Zones Exclusives de Recherches*”, purports to show the areas of Barrick’s “concessions”, Barrick’s “exclusive zones”, “retroceded concessions” and “retroceded exclusive zones”. The DRC does not explain the relevance of these maps or the terms contained

---

<sup>144</sup> *Carte des concessions minières du Congo et du Rwanda-Burundi* (DRCRQ Annex 5.1).

<sup>145</sup> DRCRQ, para. 5.18.



within them. Neither is map is paired with corresponding concession documents, identifies any mine or indicates any production of minerals.

5.18 Nor can any answer be found in Annex 4, which contains a map purporting to show “*Localisation des Zones Rétrocédées à l’OKIMO Région Doko Durba*”. Even assuming that this undated map prepared by Barrick correctly depicts the zones at some point “retroceded” to OKIMO, a Congolese State-owned mining company, the DRC offers no information about the locations of actual mines within such zones, their average production, or actual concessions or licenses related to them. Divorced from any actual evidence, this bare map cannot support any aspect of the DRC’s claim.

5.19 Annexes 5 and 6 are equally of no help. Annex 5 contains a five-year “Work Plan with Projected Exploration Costs” assessed at US\$ 23 million and Annex 6 contains a list of experts without dates and signatures. It is not clear who prepared the Work Plan or when, or which area(s) and mineral(s) it covers. What is clear, however, is that the Work Plan states only *projected exploration costs*. It shows nothing about actual concessions or licenses, let alone the location, ownership or average production of a specific mine.

5.20 In conclusion, the DRC has failed to present any of the evidence the Court requested concerning the exploitation of minerals.

## **II. The DRC Fails to Provide the Requested Evidence Concerning Forests**

5.21 The DRC equally fails to come forward with *any* evidence showing the locations, ownership, average production and concessions or licenses for each forest that was allegedly illegally exploited as a result of wrongful acts attributable to Uganda.

5.22 The DRC only alleges broadly that:

“With regard to the locations of the forest concessions that were subject to the illegal exploitation, the DRC reports that the forests that most suffered from the effects of the deforestation resulting from the war conducted by Uganda are in the following areas: Djugu, Mambassa, Beni, Komanda, Luna, Mount Moyo, and Aboro”.<sup>146</sup>

5.23 But this assertion not only fails to identify the specific location of specific forests, instead mentioning only general geographic “areas”, it is also unsupported by evidence linking each such forest to specific owners, average timber production and concessions or licenses. Indeed, no supporting documentation of any kind is offered.

5.24 Rather than do what the Court asked, the DRC takes exactly the same approach that it did in its Memorial: it misleadingly cites the Porter Commission Report and UN Panel of Experts’ reports in a vain effort to support its allegations.<sup>147</sup>

5.25 In particular, the DRC continues to focus on DARA-Forest:

*“Among the concessionaires who benefited from the illegal exploitation of Congolese woods, it is worth mentioning DARA-Forest, identified as a Ugandan and Thai company, established in Ituri at the end of 1998, which purchased the exploitation permit from*

---

<sup>146</sup> DRCRQ, para. 5.24 (Translation by Counsel, original in French: “S’agissant de l’emplacement des concessions forestières objet d’exploitation illicite, la RDC renseigne que les forêts qui ont le plus subi les effets de la déforestation suite à la guerre menée par l’Ouganda se trouvent dans les zones ci-après: Djugu, Mambassa, Beni, Komanda, Luna, Mont Moyo et Aboro”) (emphasis omitted).

<sup>147</sup> DRCRQ, paras. 5.19-5.25.

*a private armed group, the RCD-KML, after the Government of the DRC had denied it such a permit a year before the outbreak of the war, and whose activities during the period of Ugandan occupation and control were reported in particular by the Porter Commission (Annex 5.8), by the Addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Wealth of the Democratic Republic of the Congo (Annex 5.2, paragraph 48, pp. 12-13), by the Interim report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Wealth of the Democratic Republic of the Congo (Annex 5.3) and by the Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Wealth of the Democratic Republic of the Congo (Annex 5.4 pages 21 to 27)”*.<sup>148</sup>

---

<sup>148</sup> DRCRQ, para. 5.25. (Translation by Counsel, original in French: “Au nombre des concessionnaires ayant bénéficié de l’exploitation illégale des bois congolaises, il y a lieu de citer DARA-Forest, identifiée société ougando-Thaïlandaise, installée en Ituri à la fin de l’année 1998, ayant acheté le permis d’exploitation au près d’un groupe armé privé, le RCD-KML, après que le Gouvernement de la RDC le lui ait refusé une année avant le déclenchement de la guerre, et dont les activités pendant la période de l’occupation et du contrôle ougandais sont rapportées notamment par la commission Porter (Annexe 5.8), par l’Additif au Rapport du Groupe d’Experts sur l’Exploitation illégale des ressources naturelles et autres richesses de la RDC (Annexe 5.2, paragraphe 48, pp. 12-13), par le rapport intérimaire du Groupe d’Experts sur l’Exploitation illégale des ressources naturelles et autres richesses de la RDC (Annexe 5.3) et par le Rapport final du Groupe d’Experts sur l’Exploitation illégale des ressources naturelles et autres richesses de la RDC (Annexe 5.4 pages 21 à 27)”) (emphasis added and omitted). The DRC’s also alleges that timber processed in North Kivu transited through Uganda to Mombassa, and was transported by a freight company TMK. (DRCRQ, para. 5.24 (“Bien plus, le bois d’œuvre traité à Mangina (Nord-Kivu), transitait par l’Ouganda, en direction de Mombassa, et était transporté par la société de fret TMK.”) There is nothing the DRC’s materials showing that any timber in North Kivu was illegally exploited as a result of wrongful acts attributable to Uganda. Nor is there anything showing that TMK had any connection to Uganda or Ugandan nationals. Finally, the mere transit of goods from the DRC through Uganda does not demonstrate any form of illegal exploitation by Uganda. Entities operating in the eastern DRC were unable to import or export goods through Kinshasa due to the lack of transportation infrastructure. Transit continued to be possible through Uganda, as has long been the case. Prohibiting such transit would have had an adverse impact on the people of eastern Congo. This was confirmed in the UN Panel’s report of 16 October 2002, which advised against closing the border between the DRC and Uganda and imposing an embargo on cross-border trade. (U.N. Security Council, *Final report of the Panel of Experts on the Illegal Exploitation of Natural*

5.26 These are exactly the same allegations that Uganda already showed to be without foundation in its Counter-Memorial.<sup>149</sup> Even as it turns again to DARA-Forest, the DRC’s response to Question 5 does not mention, let alone address, Uganda’s previous arguments. Uganda will therefore largely limit itself now to referring the Court to the details of its rebuttal of the DARA-Forest allegations in the Counter-Memorial.<sup>150</sup> Uganda will only summarize the key points here.

5.27 As regards the specific allegation that DARA-Forest was a “Ugandan-Thai” company that exploited and exported timber, the Porter Commission refuted it as wholly unfounded.<sup>151</sup>

5.28 In addition to being refuted by the Porter Commission, the allegation about the illegal exploitation and export of the Congolese timber by a putative “Ugandan-Thai” company was subsequently retracted by the UN Panel itself, after it “[took] a closer look at the legal status of DARA-Forest” and its operation in the DRC.<sup>152</sup> The UN Panel’s revised position on this matter is set out in the Addendum to the report of 12 April 2001, which the DRC itself included with its Memorial (as Annex 1.8) and quoted extensively in the chapter concerning damages to plant life.<sup>153</sup>

---

*Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, U.N. Doc. S/2002/1146 (16 Oct. 2002), p. 29, para. 155 (UCM Annex 15).

<sup>149</sup> UCM, Chapter 8.C.

<sup>150</sup> See UCM, para. 8.151-8.165.

<sup>151</sup> Republic of Uganda, *Judicial Commission of Inquiry into Allegations into Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo 2001, Final Report* (Nov. 2002), p. 62 (UCM Annex 52).

<sup>152</sup> U.N. Panel of Experts, Addendum to the first report of 12 April 2001, para. 72 (UCM Annex 13).

<sup>153</sup> DRCM, para. 5.176.

5.29 The DRC reattaches the Addendum as Annex 5.2 of its response to Question 5 but does not appear to have actually read it. Had the DRC done so, it would have realized that it is fatal to the DRC's claims because it shows:

- DARA-Forest was not a “Ugandan-Thai” company and did not have Ugandans, whether officials or private citizens, among its shareholders or in its management.<sup>154</sup>
- DARA-Forest harvested timber pursuant to concessions granted by the Congolese authorities and all of its lumber was exported to countries other than Uganda.<sup>155</sup>
- After obtaining concessions in June 1998, DARA-Forest continued to exploit timber during the conflict pursuant to additional concessions granted by local Congolese authorities, which verified and confirmed that the company complied with the terms of the concessions. Moreover, contrary to the DRC's allegations, *the Congolese central government granted the company a certificate of registration, accepted the company's operation in the zones held by rebels, and received payments the company made under the concession.*<sup>156</sup>

5.30 The DRC's own evidence thus refutes the DRC's claims.

5.31 The striking aspect of this portion of the DRC's response to Question 5 is not just that it is unresponsive to the Court's question. What is truly striking is that the DRC repeats arguments for the *second time* knowing that they are based on

---

<sup>154</sup> DRCM, para. 5.176 (emphasis added); U.N. Panel of Experts, Addendum to the first report of 12 April 2001, para. 72 (UCM Annex 13).

<sup>155</sup> DRCM, para. 5.176 (emphasis added); U.N. Panel of Experts, Addendum to the first report of 12 April 2001, paras. 71-73 (UCM Annex 13).

<sup>156</sup> *Ibid.*

allegations that are erroneous, refuted and retracted by the very authorities on which the DRC relies.

\*

5.32 Question 5 afforded the DRC an opportunity to ground its compensation claims relating to natural resources on good evidence of the sort traditionally expected in inter-State proceedings. The DRC failed to seize that opportunity. By providing *no* evidence showing the locations, ownership, average production, or concessions or licenses for *any* mine or for *any forest*, the DRC has not done what the Court asked of it. As such, it has not given the Court the evidentiary basis on which an award of compensation can be made.

## Question 6

*Could Uganda explain if there were any procedures in place between 1998 and 2003 in Uganda to determine the origin of gold, diamonds, timber, or coltan dealt with in Uganda or exported from Uganda?*

### Uganda's Comments on the DRC's Response

6.1 Uganda responded to this question on 1 November 2018.<sup>157</sup> As it showed there, Uganda did have mechanisms in place to determine the origin of gold and diamonds imported into and exported from Uganda during the period 1998-2003.<sup>158</sup>

6.2 Uganda does not consider further comment necessary or appropriate at this stage except to note that in its own response to Question 6, the DRC invokes a legal principle—specifically, the principle of prevention<sup>159</sup>—that has no application in the circumstances of this case. Tellingly, the DRC has never previously made an argument based on the principle of prevention. And for good reason: this is not a case in which activities on Uganda's territory are alleged to be causing harm to the environment of the DRC.<sup>160</sup>

---

<sup>157</sup> Response to the Court's Questions of Uganda (1 Nov. 2018) (hereinafter "URQ"), Question 6, pp. 1-5.

<sup>158</sup> URQ, Question 6, paras. 1-8.

<sup>159</sup> According to the DRC, "each State, pursuant to general international law, has the obligation to exercise effective control over its territory, so that the activities that are conducted there do not cause harm to the other States". DRRCRQ, para. 6.1 (Translation by Counsel, original in French: "il pèse sur chaque Etat, en vertu du droit international général, l'obligation d'exercer un contrôle effectif sur son territoire, de manière que les activités qui s'y exercent ne causent pas préjudice aux autres Etats").

<sup>160</sup> See *Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, Judgment, I.C.J. Reports 2010, para. 101 (a State is "obliged to use all the means at its disposal in order to avoid activities which

---

take place in its territory, or in any area under its jurisdiction, causing significant damage to the environment of another State”).



## Question 7

*Has either Party so far investigated or prosecuted any individuals in relation to violations of international humanitarian law in the DRC in the period 1998-2003?*

### **Uganda's Comments on the DRC's Response:**

7.1 In its response to Question 7, the DRC identifies five cases in its courts in which individuals were investigated or prosecuted for violations of international humanitarian law in the DRC during the period 1998-2003.<sup>161</sup> The DRC does not explain the exact nature of these few cases, but some appear to be related to individuals who were sought by the ICC (for example, Germain Katanga, who the DRC surrendered to the ICC in 2007, was convicted in 2014, and is now serving out his sentence in the DRC),<sup>162</sup> or who were implicated in a 2005 attack on UN peacekeepers in the DRC that drew significant attention from the UN Security Council (for example, Goda Sukpa).<sup>163</sup>

7.2 In attempting to explain the limited number of cases, the DRC asserts that “the Congolese courts have, *in all likelihood*, still not initiated investigations of these crimes, since foreign military personnel have returned to their respective countries.”<sup>164</sup> Uganda does not consider credible this speculation (“in all

---

<sup>161</sup> DRCRQ, para. 7.3.

<sup>162</sup> See International Criminal Court, *The Prosecutor v. Germain Katanga ICC-01/04-01/07*, available at <https://www.icc-cpi.int/drc/katanga> (last accessed: 1 Jan. 2019).

<sup>163</sup> See U.N. Security Council, *Statement by the President of the Security Council*, U.N. Doc. S/PRST/2005/10 (17 Feb. 2006).

<sup>164</sup> DRCRQ, para. 7.3 (Translation by Counsel, original in French: “les juridictions congolaises n’ont pas encore, vraisemblablement ouvert des enquêtes sur ces crimes, les militaires étrangers ayant regagnés (sic) leurs pays respectifs.”) (emphasis added).

likelihood”) as to the reason that DRC courts have not pursued any additional investigations.

7.3 Uganda is unaware of, and the DRC does not point to, any DRC law that precludes investigation of crimes that have occurred in the DRC’s territory or the issuance of indictments simply because the alleged offender is located in another country. Rather, DRC law appears to allow for the investigation of crimes occurring in its territory, as well as the exercise of jurisdiction over persons who have committed such crimes, whether or not those persons are located in the DRC. Moreover, the DRC has concluded numerous extradition treaties with other States that allow it to pursue extradition of persons located outside the DRC.<sup>165</sup>

7.4 There are more plausible explanations for the lack of cases in DRC courts in relation to violations of international humanitarian law committed in the DRC during 1998-2003. *First*, by Presidential Decree issued in April 2003<sup>166</sup>, the DRC granted a general amnesty, which was adopted by the DRC Parliament in September 2004.<sup>167</sup> Uganda understands that the amnesty applied to all DRC

---

<sup>165</sup> For the DRC’s national law on extradition, see République Démocratique du Congo, *Décret du 12 avril 1886 relatif à l’extradition*, available at [http://www.droitcongolais.info/files/360\\_decret\\_du\\_12\\_avril\\_1886\\_extradition.pdf](http://www.droitcongolais.info/files/360_decret_du_12_avril_1886_extradition.pdf) (last accessed: 1 Jan. 2019).

<sup>166</sup> République Démocratique du Congo, *Décret-Loi No. 03-001 portant amnistie pour faits de guerre, infractions politiques et d’opinion*, available at <https://www.refworld.org/topic,50ffbce528c,50ffbce5304,47305aae2,0,NATLEGBOD,,COD.html> (15 Apr. 2003). The decree granted amnesty by temporary executive order in accordance with the 2002 Global and All-Inclusive Agreement. This amnesty covered acts of war, political breaches of the law, and crimes of opinion for the period of August 2, 1998 to April 4, 2003, but excluded genocide, war crimes, and crimes against humanity.

<sup>167</sup> République Démocratique du Congo, *Loi No. 05/023 du 2005 portant amnistie pour faits de guerre, infractions politiques et d’opinion*, available at <https://www.refworld.org/topic,50ffbce528c,50ffbce5304,47305d032,0,NATLEGBOD,LEGISLATION,COD.html> (19 Dec. 2005). This law was passed by the Congolese transitional parliament and it abrogated the 2003 Presidential Decree. While the law codified an amnesty over the crimes enumerated in the 2003, it altered the temporal scope to include acts committed from August 20,

nationals, whether living in the DRC or abroad, who engaged in military operations between 1998 and 2003. At the same time, exempt from the amnesty were those who allegedly killed or attempted to kill the Head of State, or who allegedly committed war crimes, acts of genocide or crimes against humanity.<sup>168</sup> Despite this latter exemption, the existence of this amnesty may help explain why DRC authorities did not pursue investigations or prosecutions for violations that allegedly occurred in the DRC during the time period in question.

7.5 *Second*, had the DRC fully investigated the circumstances surrounding atrocities that occurred during that time period, those investigations would likely have implicated the DRC's own armed forces. The DRC's response to Question 7 notably does not identify any such prosecutions, despite widespread reports that DRC armed forces committed violations of international humanitarian law during the period from 1998 to 2003.

7.6 *Third*, in the aftermath of the conflict, the DRC integrated into its armed forces many of the rebel groups and their leaders who likely committed such violations of international humanitarian law. Again, if the DRC had conducted investigations, they likely would have implicated officers and soldiers who had become part of the DRC's own armed forces.

7.7 For example, of the five cases the DRC identifies, one concerns Jérôme Kakwavu Bukande.<sup>169</sup> Uganda understands that Kakwavu and his rebel group (the

---

1996 to June 20, 2003. Further, the law allowed for the retroactive pardons and for the commutation of prior convictions for acts falling within the law's scope.

<sup>168</sup> See IRIN, *Amnesty law passed without MPs from Kabila's party*, available at <http://www.irinnews.org/report/57408/drc-amnesty-law-passed-without-mps-kabilas-party> (30 Nov. 2005).

<sup>169</sup> DRCRQ, para. 7.3.

People’s Armed Forces of Congo) were integrated into the DRC’s armed forces in 2004, and Kakwavu promoted to the rank of general.<sup>170</sup> Only after he was listed by the UN Security Council Committee established pursuant to Resolution 1533 (2004) and under pressure from representatives of Security Council members, was Kakwavu taken into custody for trial.<sup>171</sup> In November 2014, the DRC military high court in Kinshasa found Kakwavu guilty of crimes committed in 2004.<sup>172</sup>

7.8 Another case the DRC identifies concerns Justin Matata Banaloki (also known as “Cobra Matata”), a former leader of the Front for Patriotic Resistance in Ituri, who was integrated into the DRC’s armed forces in 2007. Only after he deserted and reconstituted a rebel group in 2010, was Banaloki arrested by the DRC in 2015 and charged with acts dating back to 2002.<sup>173</sup>

7.9 Although not responsive to the Court’s question, the DRC devotes about half of its answer to the case of Thomas Lubanga—the former leader of Union of Congolese Patriots (“UPC”)/Patriotic Forces for the Liberation of Congo (“FPLC”)—before the ICC. The DRC’s argument here is not clear,<sup>174</sup> but it ultimately leads to the assertion that “there is a direct relationship between the acts

---

<sup>170</sup> See Trial International, *Jerome Kakwavu*, available at <https://trialinternational.org/latest-post/jerome-kakwavu/> (last modified: 27 Sept. 2016).

<sup>171</sup> See U.N. Security Council, *Jerome Kakwavu Bukande*, available at <https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/individual/jerome-kakwavu-bukande> (last accessed: 1 Jan. 2019).

<sup>172</sup> Radio France Internationale Afrique, *Crimes de guerre en RDC: 10 ans de prison pour le général Kakwavu*, available at <http://www.rfi.fr/afrique/20141108-crimes-guerre-rdc-10-ans-prison-le-general-kakwavu> (8 Nov. 2014).

<sup>173</sup> U.N. Security Council, *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, U.N. Doc. S/2015/172 (10 Mar. 2015), para. 19; Daily Mail, *DR Congo rebel chief Cobra Matata transferred to Kinshasa*, available at <https://www.dailymail.co.uk/wires/afp/article-2897707/DR-Congo-rebel-chief-Cobra-Matata-transferred-Kinshasa.html> (5 Jan. 2015).

<sup>174</sup> DRCRQ, paras. 7.6-7.12.

blamed on Mr. Thomas Lubanga and the Ugandan occupation that incited the conflict between the Héma and Lendu ethnic groups”.<sup>175</sup> This assertion is unsustainable. The DRC provides no citations to support it because no such sources exist.<sup>176</sup> Indeed, none of the ICC’s judgments concerning Mr. Lubanga, whether at the trial or appellate levels, indicate that there was any relationship between Mr. Lubanga’s criminal acts and Uganda’s conduct. To the contrary, the ICC Trial Chamber concluded that: “*The Chamber has not heard any evidence that Uganda had a role in organising, coordinating or planning UPC/FPLC military operations*”.<sup>177</sup>

---

<sup>175</sup> DRCRQ, para. 7.12. (Translation by Counsel, original in French: “il y a lieu d’affirmer qu’il y a un lien direct entre les faits reprochés à M. Thomas Lubanga et l’occupation ougandaise qui a attisé le conflit entre les ethnies Héma et Lendu”.)

<sup>176</sup> See UCM, para. 6.72.

<sup>177</sup> *Prosecutor v. Thomas Lubanga Dyilo*, Case No. ICC-01/04-01/06, Judgment pursuant to Article 74 of the Statute (ICC Trial Chamber I, 14 Mar. 2012), para. 561 (emphasis added).



## Question 8

*In relation to unlawful acts of which irregular forces does the DRC claim compensation from Uganda?*

### **Uganda’s Comments on the DRC’s Response:**

8.1 The DRC’s response to Question 8 states that the DRC claims compensation from Uganda in relation to unlawful acts of the following nine irregular forces:

- Union des Patriotes Congolais (“UPC”);
- *Mai-Mai Simba* militia;
- “*Chui Mobil Force*” militia;
- Front de Résistance Patriotique en Ituri (“FRPI”);
- Rassemblement des Congolais pour la Démocratie/Mouvement de Libération (“RCD/KML”);
- Union des Démocrates Congolais (“UDC”);
- RCD/N;
- Forces Armées du Peuple Congolais (“FAPC”); and
- PUSIC.

8.2 Uganda observes first that the DRC does *not* identify the *Mouvement de Libération du Congo* (MLC), led by Jean-Pierre Bemba, as one of the irregular

forces in respect of the acts of which it claims compensation from Uganda.<sup>178</sup> Uganda considers the DRC's Response to Question 8 to be its final word on its claims in relation to unlawful acts of irregular forces. It must therefore be concluded that it has waived any compensation claim relating to the alleged acts of the MLC.

8.3 Of the nine irregular forces the DRC does list in its response, six are not mentioned anywhere in the 2005 Judgment; namely:

- *Mai-Mai* militia;
- “Chui Mobil Force” militia;<sup>179</sup>
- FRPI;<sup>180</sup>
- UDC;
- FAPC; and

---

<sup>178</sup> During the merits proceedings, the DRC argued that Uganda created the MLC. The Court rejected that argument (*Armed Activities* (2005), paras. 158-160). The Court held that the illegal acts of the MLC, or of any other militia, were not attributable to Uganda and that those groups were not “under the control” of Uganda (*ibid.*, para. 177).

<sup>179</sup> The Chui Mobil Force is neither mentioned by the UN Mapping Report of 2010. “Chui” means leopard in Kiswahili. That militia appears to have been an informal rebel group created by Bosco Ntaganda who became one of the leaders of the *Union des Patriotes Congolais* (UPC) and later prosecuted by the ICC. See International Criminal Court, *The Prosecutor v. Bosco Ntaganda ICC-01/04-02/06*, available at <https://www.icc-cpi.int/drc/ntaganda> (last accessed: 1 Jan. 2019).

<sup>180</sup> The real name of the *Front de Résistance Patriotique en Ituri* (FRPI) is *Force de résistance patriotique d'Ituri*, translated into English as *Patriotic Resistance Front in Ituri*. See U.N. Human Rights Council, *Report of the Independent Expert on the Situation of Human Rights in the Democratic Republic of the Congo, Mr. Titinga Frédéric Pacéré*, U.N. Doc. A/HRC/7/25 (29 Feb. 2008), p. 7, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/115/58/PDF/G0811558.pdf?OpenElement> (last accessed: 4 Jan. 2019). It was a Lendu-based militia, led by Germain Katanga who was later prosecuted and convicted by the ICC. See International Criminal Court, *The Prosecutor v. Germain Katanga ICC-01/04-01/07*, available at <https://www.icc-cpi.int/drc/katanga> (last accessed: 1 Jan. 2019).



- PUSIC.

8.4 It is unclear on what legal or factual basis the DRC now purports to claim that Uganda is responsible for the unlawful acts of these six militias. The DRC's response to Question 8 is not supported by any evidence. Moreover, the DRC fails to explain the actions of these six militias during the conflict, the harm they allegedly inflicted or the connection between them and Uganda. The DRC does nothing more than provide unilateral, undocumented and unsupported list of names and abbreviations.

8.5 The Court made clear in the 2005 Judgment that none of the irregular groups mentioned therein were "under the control" of Uganda.<sup>181</sup> *A fortiori*, groups not mentioned in the Judgment cannot be deemed to have been under the control of Uganda. Including such groups at this stage would mean impermissibly revisiting the 2005 Judgment, which is *res judicata* as between the Parties. (Uganda also observes that the UDC appears not to exist,<sup>182</sup> while the activities of

---

<sup>181</sup> *Armed Activities* (2005), para. 177.

<sup>182</sup> The *Union des Démocrates Congolais* (UDC) is not mentioned in the UN Mapping Report of 2010. It does not appear to have been a faction, group or militia during the events which is of concern to the Court in these proceedings. Neither is it listed by the DRC's *Commission Électorale Nationale Indépendante* (CENI) in 2018 as a political party nor as a political "*regroupement*". See DRC, Commission Électorale Nationale Indépendante, *PARTIS ET REGROUPEMENTS POLITIQUES EN RDC [Année 2018]*, available at [https://www.ceni.cd/partis\\_et\\_regroupements\\_politiques](https://www.ceni.cd/partis_et_regroupements_politiques) (last accessed: 1 Jan. 2019). If the DRC meant to refer instead to the *Union des Démocrates Chrétiens* (UDC), this group is not mentioned in the UN Mapping Report of 2010 either.

the FAPC<sup>183</sup> and PUSIC<sup>184</sup> are beyond the *ratione temporis* scope of the 2005 Judgment.)

8.6 With respect to the three irregular groups listed by the DRC that were mentioned in the 2005 Judgment, the UPC was a political party founded by Thomas Lubanga who was later prosecuted and convicted by the ICC.<sup>185</sup> The UPC is mentioned once in the 2005 Judgment (at para. 208). There, the Court referred to a MONUC special report on the events in Ituri which states that on 6 and 7 March 2003, fighting took place in Bunia between the UPC and the UPDF.<sup>186</sup> The 2005 Judgment makes no mention of any form of cooperation between Uganda and the UPC. On the contrary, it refers to fighting that took place between them. It is therefore difficult to understand on what legal basis Uganda could be held responsible for the illegal acts of a militia that was, in fact, aided by a third State (i.e., Rwanda). Moreover, the UPC fought *against*, not alongside, the UPDF at a time and place where Uganda had the responsibilities of an occupying power (i.e., was entitled to keep public order and curb the activities of armed groups). Not

---

<sup>183</sup> The *Forces Armées du Peuple Congolais* (FAPC) was formed in March 2003 by Jérôme Kakwavu, as a faction of the *Union des Patriotes Congolais* (UPC). Uganda recalls that the *ratione temporis* scope of the 2005 Judgment, and of its responsibility under that Judgment, ends on 2 June 2003. See UCM, para. 1.6.

<sup>184</sup> The PUSIC stands for *Parti pour l'unité et la sauvegarde de l'intégrité du Congo*. It was a faction led by Kahwa Mandro that seceded from the *Union des Patriotes Congolais* (UPC). Indeed, sometime in 2003, the UPC was split between the PUSIC, the *UPC-Kisembo* (UPC-K) led by Kisembo Bahemuka, and the *UPC-Lubanga* (UPC-L), under the leadership of Thomas Lubanga. The UPC-L was by far the strongest military militia. In 2004, long after Ugandan troops departed from the DRC, the UPC-K merged into the PUSIC. Be that as it may, the DRC does not refer to any illegal act by the PUSIC that took place before the last Ugandan troops withdrew on 2 June 2003. Any claim based on PUSIC action appears to be beyond the temporal scope of the 2005 Judgment.

<sup>185</sup> See International Criminal Court, *Prosecutor v. Thomas Lubanga Dyilo*, ICC-01/04-01/06, available at <https://www.icc-cpi.int/drc/lubanga> (last accessed: 1 Jan. 2019).

<sup>186</sup> U.N. Security Council, *Special Report on Events in Ituri (Jan. 2002-Dec. 2003)*, U.N. Doc. S/2004/573 (16 July 2004), para. 73 (DRCRQ Annex 2.4.B).

surprisingly, as noted in Uganda’s response to Question 7, in 2012, a Trial Chamber of the ICC found in the *Lubanga* case, that it “has not heard any evidence that Uganda had a role in organising, coordinating or planning UPC/FPLC military operations”.<sup>187</sup>

8.7 Concerning the other two militias identified in the DRC’s response—(1) the RCD/KML and (2) the RCD/N—Uganda notes that the 2005 Judgment refers to (a) the *Rassemblement congolais pour la démocratie* (“RCD”), (b) the *Rassemblement congolais pour la démocratie-Kisangani* (“RCD-Kisangani”, also known as “RCD-Wamba”), or (c) the *Rassemblement congolais pour la démocratie-Mouvement de libération* (“RCD-ML”).<sup>188</sup> It is difficult to understand exactly to which of these RCD groups the DRC now refers, given that the 2005 Judgment does not mention the “RCD/KML” or “RCD/N” as such. By “RCD/KML”, Uganda believes that the DRC is referring to the militia identified in the 2005 Judgment as the RCD Kisangani, which was later called the *Rassemblement congolais pour la démocratie-Mouvement de Libération* (“RCD-ML”). Uganda also believes that the DRC’s mention of the “RCD/N” is meant to refer to “*Rassemblement congolais pour la démocratie – National*”, a faction which seceded from the RCD/KML.<sup>189</sup>

8.8 Because its response to Question 8 is its final word, it must be understood that the DRC does not claim compensation for the illegal acts perpetrated by any other branches of the RCD; *viz.*:

---

<sup>187</sup> *Prosecutor v. Thomas Lubanga Dyilo*, Judgment pursuant to Article 74 of the Statute, ICC-01/04-01/06, para. 561 (Mar. 14, 2012).

<sup>188</sup> *Armed Activities* (2005), para. 27.

<sup>189</sup> See UCM, para. 2.51 and *U.N. Mapping Report*, para. 310 (UCM Annex 25).

- the *Rassemblement congolais pour la démocratie* (RCD) at the time it was still unified;
- the RCD-Authentique (“RCD-A”; not mentioned in the 2005 Judgment);
- the RCD-Original (“RCD-O”; not mentioned in the 2005 Judgment);
- the RCD-Goma (not mentioned in the 2005 Judgment);
- the RCD-Congo (a faction that seceded from the RCD-Goma and is not mentioned in the 2005 Judgment); or
- any other RCD faction.

8.9 In light of the above, the only potentially relevant irregular forces listed in the DRC’s response to Question 8 appear to be two militias: the RCD-Kisangani (referred to by the DRC as RCD/KML) and the RCD/N. That said, the DRC fails to provide the Court with any further evidence about their illegal acts, the harm that they caused and their relationship with Uganda. (In this respect, Uganda notes that Question 8 is included under the heading “requests for further evidence”.)

8.10 In its Response to Question 8, the DRC also argues that Uganda is responsible for the (unidentified) unlawful acts of the irregular forces it lists because the Court established in its 2005 Judgment “two types of connections”<sup>190</sup> between Uganda and those armed groups: (1) Uganda breached the obligation not to intervene in the internal affairs of another State; and (2) Uganda failed, as an occupying Power, to take measures to respect and ensure respect for human rights and international humanitarian law in Ituri district.<sup>191</sup> Such a casual jumbling of

---

<sup>190</sup> DRCRQ, para. 8.1 (Translation by Counsel, original in French: “*deux types de liens*”).

<sup>191</sup> DRCRQ, para. 8.1.

distinct internationally wrongful acts reflects a serious misunderstanding as to what the DRC must prove. Indeed, the DRC's response to Question 8 does not even attempt to engage with the extensive arguments that Uganda raised in this regard in its Counter-Memorial.<sup>192</sup>

8.11 The mere fact that Uganda intervened in the DRC, or fact that Uganda was an occupying power in a portion of the DRC, does not mean that the Uganda is responsible for all loss, damage or injury that occurred in the DRC by irregular forces, even in occupied territory. Rather than prove its claims for reparation relating to irregular forces, the DRC instead aims at using a simplistic "but for" test based on the very general findings from the 2005 judgment. Yet those findings: (1) did not identify most of the irregular forces now listed by the DRC as relevant to the DRC's claims; (2) for those few that the Court did identify, did not reach factual conclusions regarding the exact relationship of those irregular forces to Uganda; and (3) did not reach factual conclusions as to specific actions taken by those irregular forces that caused harm, the attribution of those actions to Uganda or the valuation of that harm. As such, the DRC cannot now rest itself on the 2005 Judgment to prove its claims for reparations for actions of militias. Those claims must therefore fail.

---

<sup>192</sup> UCM, paras. 4.48-61.



## Question 9

*Could the DRC explain the basis on which it attributes to Uganda 45% of the responsibility for damage caused by States and armed groups not supported by Uganda?*

### **Uganda’s Comments on the DRC’s Response**

9.1 The DRC’s response to Question 9 largely consists of a protracted digression into issues that are not responsive to the question asked. It also does not meaningfully add to the record beyond what the DRC already argued in its Memorial—and Uganda refuted in its Counter-Memorial. Uganda will therefore only comment on it to the limited extent relevant to the issue raised by the Court.

9.2 The heart of the DRC’s response is contained in three short paragraphs (paras. 9.26-28) and illustrated by a map. The essence of the DRC’s “explanation” is that

“[t]he 45% was obtained on the basis of the scale of the illegal action of each of the actors. Regarding this subject matter, there were mainly three (3) state actors, to which the private groups were liable, on the side of the aggressors. They are Rwanda, Uganda, and Burundi. The role of the latter has been recognized to be less significant. That of Rwanda has been deemed to be almost as great as that of Uganda”.<sup>193</sup>

---

<sup>193</sup> DRCRQ, para. 9.26 (Translation by Counsel, original in French: “Les 45% ont été obtenus sur base de l’ampleur de l’action illicite de chacun des acteurs. A ce sujet, les acteurs étatiques, desquels répondaient les groupes privés, étaient essentiellement à trois (3), du côté des agresseurs. Il s’agit du Rwanda, de l’Ouganda et du Burundi. Le rôle de ce dernier a été reconnu comme étant moindre. Celui du Rwanda a été jugé comme presque aussi grand que celui de l’Ouganda”).

9.3 Uganda considers this explanation facially inadequate. International responsibility cannot be established by speculative guesstimation. The Court made clear in the 2005 Judgment that at this reparation phase, the DRC would have to prove specific injuries suffered by the DRC as a result of specific wrongful acts for which Uganda is responsible.<sup>194</sup> The ostensible explanation the DRC now offers does not even begin to approximate the showing the Court required.

9.4 The DRC also provides no evidence, even of a very general nature, to support its sweeping assertions concerning the relative roles of Rwanda, Burundi and Uganda. Among many other flaws, the DRC's proposed apportionment makes no effort to take any account of the six other States and at least 21 major irregular armed groups that were involved in the conflict.<sup>195</sup>

9.5 The DRC also attempts to justify the 45% figure graphically. At paragraph 9.28 of its response, the DRC argues that taking into account the amount of Congolese territory that Uganda occupied confirms the percentage it identifies. The DRC offers Map No. 8, captioned "Magnitude of the Congolese Territory under Control and Occupation of Uganda", as support.<sup>196</sup> Uganda observes in the first instance, that Map No. 8 lacks evidentiary value. It is not dated and the author is unclear. There are also indications that it has been altered after the fact. Specifically, the last digits in the dates "1998" and "2003" (i.e. "8" and "3") in the label appearing on the top of the map appear to have been added by hand.

9.6 In any event, even taking Map No. 8 at face value, it is clear that the UPDF never deployed over an area covering 45% of the DRC territory. The inset in the

---

<sup>194</sup> *Armed Activities* (2005), para. 260.

<sup>195</sup> *See* UCM, paras. 2.48-2.50.

<sup>196</sup> DRCRQ, Map 8 on p. 38.



lower right corner of the map (a map of the entire DRC) makes clear that the red-coloured area covers significantly less than 45% of the DRC's territory.

9.7 More importantly, Map No. 8 is flatly inconsistent with the 2005 Judgment. The Court specifically found that the only area of the DRC that Uganda "occupied" was Ituri district, a very small portion of the areas depicted in Map No. 8. As a result, the 45% share remains largely unexplained and entirely unfounded. It is, in short, wholly arbitrary.

9.8 To properly answer Question 9 and to meet its evidentiary burden, the DRC should have:

- Established a proximate causal link between internationally wrongful acts for which the Court held Uganda responsible in the 2005 Judgment and the specific damages materially "caused by States and armed groups not supported by Uganda"; and
- Proved that Uganda's illegal acts contributed to an identifiable (and identified) portion of those damages.

9.9 In other words, the DRC should have first established (rather than assume or assert) that the other States and the armed groups not supported by Uganda would not have inflicted specific, identified damages in the absence of specific, identified internationally wrongful acts for which Uganda was responsible. This demonstration must be concrete rather than abstract, and it must take into account the specific operative modes of those other States and groups unsupported by Uganda. After showing the requisite causal link, the DRC should also convincingly show that a specific share of the identified damages were due to specific wrongful acts of Uganda.

9.10 Only if the DRC made both showings, could Uganda's internationally wrongful acts be considered as contributing to damages inflicted by other actors. The DRC has, however, not made either showing, either in its Memorial or in its response to Questions 9. It has therefore given the Court no legal or evidentiary basis to credit its assertion that Uganda is responsible for 45% of the damage caused by States and armed groups not supported by it.

## Question 10

*Could the DRC explain its methodology in calculating the averages of awards by domestic Congolese courts in cases of death, personal injury, rape and child soldiers, on which the DRC relies? Could the DRC supply the cases on which it relied in the calculation of these averages, as well as cases excluded?*

### **Uganda’s Comments on the DRC’s Response:**

10.1 The DRC’s response to Question 10, which consists of eight short paragraphs, does not actually answer the questions the Court asked. It neither provides an explanation of the DRC’s methodology nor submits the decisions relied upon (or excluded by) the DRC.

10.2 No explanation about the DRC’s methodology is forthcoming in its response to Question 10. Instead, the DRC simply summarizes what it stated at paragraph 7.08 of its Memorial, saying that its “lump-sum model” is based on “the average amounts awarded as compensation in the judgments rendered by its courts, after setting aside those that were not justified, which it used in order to calculate the amounts to be awarded for each category.”<sup>197</sup> The Court is thus left with an asserted “methodology” that is based upon an unknown number of decisions, unknown amounts awarded, unknown categories of damages and unknown reasoning.

---

<sup>197</sup> DRCRQ, paras. 10.2-10.3 (emphasis omitted) (Translation by Counsel, original in French: “modèle forfaitaire”; “la moyenne des sommes accordées à titre d’indemnisation dans les jugements rendus par ses juridictions, après avoir écarté celles qui étaient dépourvues de motivation, qui lui avait servi au calcul des sommes à allouer par catégorie”).

10.3 Uganda explained in its Counter-Memorial why this “methodology”, even if done rigorously, is flawed.<sup>198</sup> It will not burden the Court by repeating that analysis here. Uganda simply observes that the DRC’s methodology remains unexplained and fatally flawed despite having been afforded an opportunity to rehabilitate it.

10.4 With respect to the DRC national court decisions relied upon to support its “methodology”, the DRC now supplies *two* of the national court decisions on which it claims to have relied. This is actually two more than the zero decisions it produced with its Memorial. (It was *Uganda* that submitted seven DRC national court decisions into the record with its Counter-Memorial in an effort to explain why such decisions were inherently flawed and unsuitable for use by the Court.<sup>199</sup>)

10.5 The two decisions the DRC submits with its response are contained in Annexes 10.1 and 10.2. They add nothing to the DRC’s claims. The first (Annex 10.1)<sup>200</sup> appears to concern the prosecution of Jérôme Kakwavu Bukande (see Uganda’s comments on the DRC’s response to Question 7, above), but the DRC has only provided fragments of the decision. Notably, those fragments do not contain the *dispositif* of the decision or the amounts of compensation awarded by the DRC court.

10.6 The second decision (Annex 10.2) is the *Kakado* decision by the Garrison Military Tribunal of Ituri sitting in the city of Bunia.<sup>201</sup> This decision was already

---

<sup>198</sup> UCM, paras. 4.73-4.84; *see also ibid.*, paras. 5.152-5.155, paras. 6.112-6.119.

<sup>199</sup> UCM Annexes 43 to 49.

<sup>200</sup> The portion of this decision appears to be extracted from the *Bulletin des Arrêts de la Haute Cour Militaire* (4ème édition, 2016).

<sup>201</sup> The decision appears to be extracted from *Avocats sans Frontières, Recueil de Décisions de Justice et de Notes de Plaidoiries en Matière de Crimes Internationaux* (undated).

in the Court's record, as Uganda submitted it with its Counter-Memorial<sup>202</sup> and explained why it was flawed.<sup>203</sup> Indeed, Uganda observed that this was a decision where the Military Tribunal *expressly* stated that it was acting *ex aequo et bono* for all types of harm, an inappropriate basis for a decision in the case now before this Court.<sup>204</sup>

10.7 Neither of these two decisions therefore provides any support for the DRC's methodology.

10.8 Finally, Uganda considers it telling that the DRC's response to Question 10 does not take any account of the seven DRC national court decisions that Uganda submitted with its Counter-Memorial. (It appears that the DRC was unaware that the *Kakado* decision was already before the Court.) Nor does the DRC explain why such decisions are probative, despite the many flaws identified by Uganda in its Counter-Memorial.

10.9 Question 10 also called on the DRC to "supply the cases... excluded" from its calculation of the averages of awards by domestic Congolese courts. The DRC appears to have completely ignored this portion of the Court's question. Rather than identify and submit to the Court any excluded national court decisions, the DRC's response simply repeats the claim from its Memorial that it "set aside those [decisions] that were not justified".<sup>205</sup> The DRC appears to expect the Court to

---

<sup>202</sup> See *Kakado (MP et PC c. Kakado Barnaba)*, RP 071/09, 009/010 and RP 074/010 (Tribunal Militaire de Garnison de Bunia, 9 July 2010) (UCM Annex 46).

<sup>203</sup> UCM, paras. 4.75, 4.79.

<sup>204</sup> UCM, para. 4.79, note 438 ("en conséquence, le Tribunal condamne, *ex aequo et bono*, seul, le prévenu KAKADO BARNABA YOGA TSHOPENA à payer au titre du dédommagement pour tout préjudice subi comme suit [...]") (emphasis added).

<sup>205</sup> DRCRQ, para. 10.3. (Translation by Counsel, original in French: "après avoir écarté celles qui étaient dépourvues de motivation"). See DRCM, para. 7.08.

take the DRC's word for it that such decisions (which may have awarded nor or relatively low amounts of compensation) are irrelevant to this proceeding. That expectation is inappropriate.

10.10 With respect to the DRC national court decisions purportedly used for, and those purportedly excluded from, the DRC's calculation of lump-sum amounts for persons harmed, Uganda is entitled to see and to challenge the evidence upon which the DRC relies. Moreover, the Court is charged with weighing such evidence in light of the positions advanced by both Parties. Having failed to produce such evidence on this issue, and having denied Uganda the opportunity to test such evidence, the DRC's lump-sum amounts supposedly based upon DRC national court decisions cannot be upheld.

## Question 11

*Could the DRC provide more detail on its methodology regarding the use of future income as the basis of claims for compensation in respect of deaths that were not the result of deliberate acts of violence?*

### **Uganda's Comments on the DRC's Response:**

11.1 As was true of the DRC's response to Question 10, the DRC's response to Question 11 does not provide any of the additional detail the Court requested. Nor does it respond to the myriad problems with the DRC's nominal methodology raised by Uganda in its Counter-Memorial.<sup>206</sup>

11.2 *First*, it should be observed that the DRC does not explain why the methodology for identifying the level of compensation due for "deliberate" acts and "collateral" injuries should be based on average amounts awarded by DRC national courts, while the methodology for "collateral" deaths should be based on something else. In particular, the DRC never explains why the methodologies for "collateral" deaths and "collateral" injuries are not the same. To the extent that compensation for harm to persons is to be measured by one or the other methodology, it is arbitrary not to apply the same methodology to all of these types of harm (bearing in mind that neither of the DRC's methodologies bears up under scrutiny). The DRC's differential treatment of these categories of harms also suggests that the heightened damages it seeks for deliberate acts of violence are intended to have a punitive element, which international law does not allow.<sup>207</sup>

---

<sup>206</sup> See UCM, paras. 5.08-5.14, 5.156-5.179.

<sup>207</sup> See the discussion of relevant legal authorities in UCM, Chapter 4 (III).

11.3 *Second*, as Uganda pointed out in its Counter-Memorial, the claimed average age (27 years) of the alleged victims of non-deliberate killings is deeply problematic. In its Memorial, the DRC alleged that this number was “determined based on the files drawn up by the DRC’s investigators”.<sup>208</sup> In its Counter-Memorial, Uganda observed that “the DRC offers no explanation as to exactly what files were used, how they were drawn up and how that nominal average was determined”.<sup>209</sup> In its response, the DRC now claims that it

“obtained the average age of all the victims of non-deliberate acts of violence (27 years old) by starting with the calculation of their average ages. These ages were those stated by the persons interviewed (see Annex 1.1-1.10). The average is obtained after adding the ages recorded in the files, which were indicated by the victims interviewed, and after dividing this sum by the number of victims. (Age of all the victims divided by (/) the number of reported victims)”.<sup>210</sup>

11.4 This statement makes clear that the average age the DRC determined is not the average age of persons who *died* as a result of non-deliberate acts of violence. Rather, it purports to be the average age of *all* victims of non-deliberate acts of violence. Moreover, the “valuation lists” do not provide any information from which one can establish the average age of alleged victims, and only a small percentage of the “victim identification forms” provide such information. Most “victims” are not even identified (“*non signalé*”).

---

<sup>208</sup> DRCM, para. 7.09 (Translation by Counsel, original in French: “déterminé sur la base des fiches établies par les enquêteurs de la RDC.”).

<sup>209</sup> UCM, para. 5.160.

<sup>210</sup> DRRCRQ, para. 11.2.



11.5 Uganda has explained in its earlier comments why the DRC’s new evidence—consisting largely of victim identification forms—is flawed, poorly organised and largely inscrutable. For present purposes, Uganda observes simply that the evidence the DRC points to in response to this question (Annexes 1.1-1.10) is not organised in a way that speaks directly to this aspect of the DRC’s claims.

11.6 The DRC still does not provide a list of the specific files it claims to have used when “adding the ages recorded in the files” or even of the ages contained in those files. This is problematic because many of the files contained in Annexes 1.1-1.10 do not relate to claims of death or personal injury. If the DRC is using all of these files for “adding the ages recorded in the files”, then it appears to be deriving the average age, at least in part, from persons who did not even suffer death or personal injury.

11.7 *Third*, Uganda also observed in its Counter-Memorial that the “DRC’s calculation [of average age] is also based on a flawed assumption that all of the alleged victims, no matter what their age, their status within a family or their actual earning potential, would have to be fully employed at all times up to the date of the deaths. This assertion is facially untenable for obvious reasons”.<sup>211</sup>

11.8 The DRC’s response to Question 11 does not squarely address this point. The DRC simply says that it needed to “smooth out its claims and thus avoid reaching different figures for thousands of victims expected to obtain this

---

<sup>211</sup> UCM, para. 5.161.

compensation”.<sup>212</sup> Yet the DRC should have explained to the Court why it is proper to assume that all persons who suffered a “collateral” death were income-producing, when it is well-understood in international claims practice that children, retired persons and certain other family members are not income-producing, and therefore compensation for their deaths should not be based upon lost future income. Ample data exists as to the percentage of DRC nationals who are children, as well as the percentage of DRC nationals who are elderly. Yet the DRC makes no effort to explain why such data is irrelevant to its computations. Indeed, this information does not even appear in the DRC’s victim identification forms or valuation lists, thus rendering the alleged calculations without evidentiary foundation.

11.9 For example, the UN Department of Economic and Social Affairs, Population Division, estimates that the median age of all persons in the Democratic Republic of the Congo as of 2000 was 17.2 years,<sup>213</sup> meaning that a full half of the population was below that age and therefore not likely income producers. Of the population above that age, data would likely reveal that approximately half were responsible for raising children or were elderly, and thus also not income producers. If so, that would leave just a quarter of the total population as income producers. As such, the DRC’s unexplained reliance on

---

<sup>212</sup> DRCRQ, para. 11.7 (Translation by Counsel, original in French: “Elle a été contrainte à utiliser ce paramètre, notamment par le besoin d’aplanir ses prétentions et ainsi éviter d’arriver à des chiffres différents pour plusieurs milliers des victimes appelées à obtenir cette réparation”).

<sup>213</sup> U.N. Department of Economic and Social Affairs, Population Division, “Median age by region, subregion and country, 1950-2100 (years)” in *World Population Prospects: The 2017 Revision*, U.N. Doc. POP/DB/WPP/Rev.2017/POP/F05 (June 2017), available at <https://population.un.org/wpp/Download/Standard/Population> (last accessed 4 Jan. 2019); see also CIA, *The World Fact Book*, Median Age: Democratic Republic of the Congo, available at <https://www.cia.gov/library/publications/the-world-factbook/fields/2177.html> (last accessed 27 Dec. 2018) (DRC median age is 18.6 years as of 2017).

unorganised and inscrutable evidence so as to fabricate an income-producing age for this entire class of DRC persons should not be countenanced.

11.10 *Fourth*, in its Counter-Memorial, Uganda also noted several flaws with the figure used by the DRC for the average income of an alleged victim: the figure of US\$ 753.20 cited by the DRC as supposedly a 2015 World Bank statistic is not, in fact, supported by World Bank data;<sup>214</sup> any figure relating to 2015 is not appropriate for determining income during 1998-2003;<sup>215</sup> any figure relating to *gross domestic product per capita* is not a relevant figure for determining *average income per capita*;<sup>216</sup> and DRC average per capita income actually is estimated to be far less than US\$ 753.20<sup>217</sup> (and during 1998-2003 was very likely below US\$ 100).<sup>218</sup>

11.11 Again, the DRC does not address any of these points in its response to Question 11. Instead, it simply reiterates that it is using per capita gross domestic product, as it existed in 2015, which it again says was US\$ 753.20, referring now (without citation) to a database of the University Sherbrooke.<sup>219</sup> In short, the DRC has not responded to the Court's question on this important element of its claim, nor responded to the flaws identified by Uganda.

11.12 Finally, to the extent that Question 11 invites the DRC to explain in further detail why its “mathematical formula”—no matter how designed—was

---

<sup>214</sup> UCM, para. 5.162.

<sup>215</sup> UCM, para. 5.163.

<sup>216</sup> UCM, paras. 5.164-5.168.

<sup>217</sup> UCM, paras. 5.169-5.171.

<sup>218</sup> UCM, paras. 5.172-5.179.

<sup>219</sup> DRCRQ, para. 11.3.

appropriate in the context “collateral” deaths, the DRC’s response fails to provide any such explanation. This would have been especially pertinent in light of the points made in Chapter 3 of Uganda’s Counter-Memorial, which discussed the two broad approaches that are used for addressing claims for reparation before international courts and tribunals.

11.13 The first approach<sup>220</sup> is the one used in traditional inter-State claims proceedings, whereby the claimant State is expected to present convincing evidence of financially assessable harm with respect to particular persons or property, all for the purpose of providing reparation for the *actual* harm incurred by specified persons or property. This approach, exemplified by the reparation phases of the Court’s *Corfu Channel* and *Diallo* cases, is the one that should be followed in the present case.

11.14 If such an approach were followed, it would entail, with respect to any claim for reparation relating to death or personal injury, proof of certain elements, such as: (1) identification of the persons who are alleged to have been injured; (2) details of the harm, such as the location and date of injury, and information concerning the nature of the injury; (3) evidence establishing a causal link between the injury and the conduct of the respondent; (4) determination of which victims were gainfully employed and, if so, the extent to which the injury resulted in a loss of earnings; and (5) the costs of care and other expenses stemming from the injury, if any.

---

<sup>220</sup> UCM, paras. 3.27-3.51.

11.15 The DRC's response to Question 11 purports to find support from cases before the Inter-American Court of Justice,<sup>221</sup> the ICC (which the DRC confusingly refers to as an "ICJ" case),<sup>222</sup> and the African Court of Human and Peoples' Rights.<sup>223</sup> But the DRC overlooks the fact that each of those courts expected and acted upon the basis of proof of the above-stated elements.

11.16 Indeed, in the *Mtikila v. Tanzania* case cited by the DRC, the African Court of Human and Peoples' Rights found at the reparations phase that, while the Applicant had been the victim of a violation of international law, "the Court does not have the evidentiary elements to prove a causal nexus of the facts of this case to the damages claimed by the Applicant in relation to the violations", and therefore "it considers that it cannot grant any compensation for pecuniary damages".<sup>224</sup> Likewise, with respect to non-pecuniary damages, the Court found that "the Applicant has failed to produce any evidence to support the claim that these damages were directly caused by the facts of this case".<sup>225</sup> Rather, the Court

---

<sup>221</sup> DRCRQ, para. 11.12 (citing to reparations in the *Gutierrez-Soler v. Colombia* case). The *Gutierrez-Soler v. Colombia* case concerned actions harming a single, named claimant, and entailed evidence specific to the harm he incurred, his lost income, and other matters.

<sup>222</sup> DRCRQ, para. 11.14 (citing to reparations in the ICC's *Lubanga* case). As Uganda explained in its Counter-Memorial, para. 6.11, the reparations in the *Lubanga* case concerned the recruitment of child soldiers in Ituri, and therefore was not addressing lost income from the violation. In any event, the case involved 473 specified claimants, who presented documents proving their identity, and details of their experience, through signed declarations, collaborating witness testimony, photographs and certificates of demobilisation. To prove the causal link to Mr. Lubanga's conduct, claimants were required to demonstrate that they were recruited by, or participated in, the activities of the UPC or the FLPC between 1 September 2002 and 13 August 2003, and were less than 15 years old during that time period. Many were able to provide the necessary evidence in the form of affidavits, witness statements, identification cards, photographs and certificates of demobilization.

<sup>223</sup> DRCRQ, para. 11.15 (citing to reparations in the *Mtikila v. Tanzania* case). The *Mtikila v. Tanzania* case involved a single, named evidence, and entailed evidence specific to the harm he incurred, his lost income, and other matters.

<sup>224</sup> *Mtikila v. Tanzania*, AfCHPR App. No. 011/2011, Ruling on Reparations (13 June 2014), para. 32.

<sup>225</sup> *Ibid.*, para. 37.

concluded that its finding at the merits phase of a violation by the respondent State was “just satisfaction for the non-pecuniary damages claimed”.<sup>226</sup>

11.17 The second approach<sup>227</sup> for addressing claims for reparation before international courts and tribunals is to apply specialised techniques characteristic of contemporary mass claims programs, such as were used by the UNCC. As Uganda explained in the Introduction to these comments, under that approach, States may agree (or the Security Council may decide) to set aside the traditional international law rules on reparation followed by international courts and tribunals (directed at reparation for the actual harm incurred), in favour of a process that involves awarding a lump-sum amount to each member of an entire class of claimants, without differentiating among them based on the actual harm that they suffered. These lump-sum amounts may be designed to vary by category of harm, and may entail a minimal evidentiary showing for lower lump-sum amounts but with the possibility of higher lump-sum amounts for a higher evidentiary showing.

11.18 While the “justice” dispensed in this manner may be somewhat “crude”, the mass claims process itself is not. Rather, the processes used at the UNCC and other mass claims programs have been very sophisticated, typically involving the production by each claimant of at least minimal evidence, which is then carefully organised into a database and can be tested through highly-specialised techniques of data-matching, statistical sampling and regression analysis. One important feature of these processes is that if the random sampling of evidence for a category of claims reveals that a percentage of the sampled evidence is inadequate to

---

<sup>226</sup> *Ibid.*

<sup>227</sup> UCM, paras. 3.52-3.57.

establish the sampled claims, the compensation for all claims in that category is automatically reduced by that percentage.

11.19 The DRC's approach to compensation for collateral deaths (and for many of its other claims) appears to be an effort to utilise a mass claims-type approach but without any of actual steps and safeguards associated with that approach, and without explaining why that approach is appropriate in the context of a proceeding before this Court. At the same time, the DRC at times abandons aspects of the mass claims approach in favour of elements (such as estimating lost future income) that are characteristic of traditional inter-State claims proceedings, thereby reaching for lump-sum amounts (a mass claims approach) derived from lost future income (an inter-State claims approach). While mixing and matching in this way may allow the DRC to inflate its claims and avoid satisfying the requirements of either approach, this hybrid path is unrecognizable in international law.

11.20 Had the DRC truly contemplated a mass claims approach, it should at least have considered the levels of lump-sum compensation utilised by prior tribunals. For example, the UNCC established a category of claimants (Category B claims) comprised of individuals who suffered serious personal injury or whose spouse, child or parent died as a result of Iraq's invasion and occupation of Kuwait.<sup>228</sup> Successful claims in that category were awarded US\$ 2,500 for individuals and up to US\$ 10,000 for families. In other words, the UNCC did not come anywhere close to the US\$ 18,913 for a single "collateral" death now sought by the DRC,

---

<sup>228</sup> See UCM, para. 3.56, note 264.

let alone approach the US\$ 34,000 the DRC seeks for a single death from “deliberate violence”.

11.21 At the same time, the UNCC expected a minimal evidentiary showing by *every* Category B claimant, and that evidence was randomly sampled to determine whether it was adequate. The DRC has neither provided a minimal evidentiary showing as to each of the persons that it claims were harmed, nor provided a basis for Uganda or the Court to engage in any meaningful scrutiny of such evidence.



## Question 12

*Could the DRC clarify whether material and non-material harm is included in its valuation of injury to persons, in particular with respect to rape and the recruitment of child soldiers?*

### **Uganda’s Comments on the DRC’s Response:**

12.1 The DRC’s response to Question 12 appears to acknowledge that both material and non-material harm is included in the lump-sum amounts that it seeks for instances of rape and recruitment of child soldiers.<sup>229</sup>

12.2 The DRC’s response does not, however, expressly address deaths and other types of injuries. Nevertheless, Uganda understands the lump-sum amounts claimed by the DRC with respect to those injuries also include non-material harm. Most of those other lump-sum amounts are purportedly derived from DRC national court cases. While the DRC has submitted very few such cases to the Court (*see* comments on Question 10), the amounts nominally awarded appear to encompass non-material harm.

12.3 The lump-sum amount claimed for one type of injury—death not resulting from a deliberate act of violence (see comments on Question 11)—is not based on DRC national court cases. Nevertheless, it too appears to include non-material harm. For example, the DRC’s response to Question 11 indicates that its proposed lump-sum amount for this type of harm is intended to cover, in part, “non-monetary disruptions”,<sup>230</sup> as well as “moral harm”, meaning “the suffering and the harm caused to the direct victim, the anguish caused to his loved ones and the

---

<sup>229</sup> *See* DRCRQ, paras. 12.1-12.10.

<sup>230</sup> DRCRQ, para. 11.12 (Translation by Counsel, original in French: “bouleversements de nature non pécuniaire”).

change in the living conditions of the victim and his family, when the victim is still alive”.<sup>231</sup>

12.4 Uganda has explained why the various lump-sum amounts the DRC identifies for death and personal injury are not sustainable: they are arbitrary and unsupported, whether conceived of as reflecting material or non-material damage.<sup>232</sup> With respect to the sums claimed for deaths, the DRC provides no analysis of what portion of the lump-sum amount constitutes material harm or what portion constitutes non-material harm to the persons allegedly affected, nor why any such portion is justified in fact or law. With respect to sums claimed for personal injuries, the DRC makes little attempt to focus its prior or new evidence on any specific aspects of the material or non-material harm to such persons: the persons are not identified with any degree of specificity; there is no evidence with respect to their particular location, age or income; and there is no attempt to identify whether the injuries entailed particular anguish or trauma.

12.5 The DRC asserted in its Memorial that “[m]oral injury includes the trauma resulting from the atrocities, the anguish caused by these acts, the suffering resulting from difficulty accessing care, the distress resulting from the lack of intervention by the authorities in place and of legal proceedings against the perpetrators, the permanent deterioration of the quality of life of mutilation victims, and the irreparable damage to their image and self-esteem”.<sup>233</sup> And yet none of these kinds of factors are developed in any of the DRC’s evidence. For

---

<sup>231</sup> DRCRQ, para. 11.15 (quoting in part from *Mtikila v. Tanzania*) (Translation by Counsel, original in French: “préjudice moral”; “englobe les souffrances et les dommages causés à la victime directe, l’angoisse causée chez ses proches et la modification des conditions de vie de la victime et de sa famille, lorsque la victime est encore vivante”).

<sup>232</sup> UCM, paras. 5.150-5.179.

<sup>233</sup> DRCM, para. 7.16.

example, no aspect of the DRC’s “victim identification forms” appear to relate to showing that victims encountered particular anguish, trauma or deterioration in quality of life meriting compensation for non-material harm. Given that the DRC itself has recognized<sup>234</sup> that the Court requires “a sufficiently direct and certain causal nexus between the wrongful act ... and the injury suffered ... consisting of all damage of any type, *material or moral*”,<sup>235</sup> it is striking that no such nexus has been developed anywhere in the DRC’s evidence.

12.6 As such, the DRC’s overall approach to evidence for these categories of harm (and for its claims generally) is not oriented toward proving financially assessable harm to persons at all. Rather, its claims appear, in reality, to be disassociated from harms to individuals and instead a massive claim for moral damage to the DRC itself. But if that’s true, then such a claim is not financially assessable and should be addressed exclusively through reparation in the form of satisfaction, not compensation.<sup>236</sup>

12.7 If viewed as a massive claim for satisfaction by the DRC, then there is direct overlap between its claim for lump-sum amounts purportedly for harms to persons and its claim for satisfaction for the DRC itself in the form of US\$ 125 million for “intangible harm”. Given that the DRC has already included non-material harm in its claims for death, injury, rape and recruitment of child soldiers, there is no basis for the DRC to seek an order from the Court that Uganda pay still further compensation for “intangible harm”.<sup>237</sup> As Uganda explained in its Counter-

---

<sup>234</sup> DRCM, para. 120.

<sup>235</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, I.C.J. Reports 2007, para. 462 (emphasis added).

<sup>236</sup> UCM, paras. 3.47-3.51.

<sup>237</sup> DRCM, paras. 7.76-7.84.

Memorial, since that request covers a type of harm that is already encompassed in the DRC's other compensation claims, the awarding of "satisfaction" in this form would result in double-recovery.<sup>238</sup> Moreover, the claim for US\$ 125 million in satisfaction is itself arbitrary; the DRC provides no basis for selecting that figure as the proper measure of non-material harm to the DRC.

---

<sup>238</sup> UCM, paras. 10.39-10.47.

### Question 13

*Can the DRC explain its methodology for the calculation of property damage in Kisangani (US\$17,323,998), in Beni (US\$5,526,527) and in Butembo (US\$2,680,000)?*

#### **Uganda's Comments on the DRC's Response:**

13.1 The DRC's explanation of its methodology for the calculation of property damages in Kisangani, Beni and Butembo only confirms that it has failed to provide the Court a reliable evidentiary basis to support this aspect of its claims.

13.2 The DRC's response to Question 13 is very brief: just two pages. As summary as it is, it nonetheless makes clear that the amounts the DRC claims are based on unfounded allegations and unreliable calculations. The DRC states that it calculated the damages claimed based on "lost property lists" (Annexes 1.6.D, 1.7.D and 1.10.D) and on valuations included in "valuation lists" (Annexes 1.6.C, 1.7.C and 1.10.C).<sup>239</sup> According to the DRC, these valuations were then fed into and totalled by its "EVADO 1.1." software, a program the DRC admits that it created for the purposes of these proceedings.<sup>240</sup>

13.3 The DRC does not explain how its software operates. Nor does it provide a copy to Uganda or the Court. While it is unclear how EVADO 1.1. actually works, it is clear that it does so unreliably. The DRC admits as much when it states in its

---

<sup>239</sup> DRCRQ, para. 13.4.

<sup>240</sup> DRCRQ, paras. 13.4, 13.7.

response to Question 13 that it had to make “substantive adjustments”<sup>241</sup> to the amounts claimed in its Memorial and “revised [them] downward”<sup>242</sup> as follows:

- for Kisangani: originally US\$ 17,323,998, now US\$ 15,197,287.33;
- for Beni: originally US\$ 5,526,527, now US\$ 5,022,087; and
- for Butembo: originally US\$ 2,680,000, now US\$ 2,616,444.<sup>243</sup>

13.4 Although the DRC does not explain why or how these “substantive adjustments” were made, the downward revision of its claim by more than US\$ 2,000,000 at this late stage of the proceedings raises serious concerns about the accuracy of the DRC’s claims and inspires little confidence in the current numbers.

13.5 The DRC’s computational errors are not the only aspect of the DRC’s response that raises doubts. There are even more significant flaws that render the DRC’s claims unfounded and therefore arbitrary.

13.6 As stated, the DRC’s “EVADO 1.1” software nominally relies on numbers derived from its valuation lists, which are in turn derived from “victim identification forms”. Yet, as demonstrated in Uganda’s comments to the DRC’s response to Question 1, the DRC’s victim identification forms lack supporting evidence of any kind for either the damages alleged or their valuation. Indeed, many of the forms do not even specify the damages or valuations claimed. The amounts stated in the valuation lists corresponding to such forms are purely

---

<sup>241</sup> DRCRQ, paras. 13.1 (Translation by Counsel, original in French: “corrections matérielles”).

<sup>242</sup> DRCRQ, paras. 13.1 (Translation by Counsel, original in French: “revus à la baisse”).

<sup>243</sup> DRCRQ, para. 13.3.

arbitrary lump sum amounts.<sup>244</sup> When such unfounded numbers are fed into the “EVADO 1.1” software, the resulting calculation is equally unfounded. A few examples will suffice to illustrate the point.

13.7 The DRC, for instance, consistently places exactly the same values on given categories of property losses, regardless of where and when the alleged damage occurred, and without regard to the specifics of the case.<sup>245</sup> Annexes 1.6.C (Beni), 1.7.C (Butembo) and 1.10.C (Kisangani) to the DRC’s responses value damage to so-called “luxury houses” the same at all times and in all places (US\$ 10,000).<sup>246</sup> The same is true for “medium houses” (which are valued at US\$ 5,000) and “simple houses” (which are valued at US\$ 1,000/500/400/300/150).<sup>247</sup> Based on these arbitrary lump sums, the DRC claims a total of approximately US\$ 6,000,000 for damages to houses in Beni, Butembo and Kisangani.<sup>248</sup>

13.8 Similarly, the DRC’s valuation lists nominally record 1,118 instances of damages to bicycles. In each and every instance, the value claimed is exactly the same (US\$ 100).<sup>249</sup> The same is true for animals. The 599 listed instances of harm

---

<sup>244</sup> See Uganda’s Comments to Question 1, *supra*.

<sup>245</sup> See UCM, paras. 7.58-7.83; 7.132-7.138

<sup>246</sup> See e.g., “habitation de luxe” in DRCRQ Annex 1.6.C, p. 31; DRCRQ Annex 1.7.C, p.1; DRCRQ Annex 1.10.C, p. 2.

<sup>247</sup> See e.g. “habitation moyenne” in DRCRQ Annex 1.6.C, p. 1; DRCRQ Annex 1.7.C, p. 2; DRCRQ Annex 1.10.C, p. 1; “habitation légère” in DRCRQ Annex 1.6.C, p. 1; DRCRQ Annex 1.7.C, p. 1; DRCRQ Annex 1.10.C, p. 7.

<sup>248</sup> See DRCRQ Annexes 1.6.C, 1.7.C, 1.10.C. See Uganda’s Comments to Question 14, *infra*, paras. 14.2-14.7.

<sup>249</sup> See, e.g., “vélo” in DRCRQ Annex 1.6.C, p. 1; DRCRQ Annex 1.7.C, p.1; DRCRQ Annex 1.10.C, p. 2.

to cows and 305 instances of harm to pigs are uniformly valued at US\$ 300 and US\$ 80, respectively.<sup>250</sup>

13.9 The DRC's penchant for identical valuations extends also to broad categories of generic items of property. For example, alleged damages to "furniture" are, in many instances, valued at exactly the same US\$ 5,000.<sup>251</sup> Just based on these arbitrary lump sum amounts, the DRC claims a total of over US \$2,000,000 in damages relating to furniture.<sup>252</sup> Similarly, unidentified items of "merchandise" are, in the majority of cases, valued uniformly at US\$ 1,000,<sup>253</sup> yielding a claim for nearly US\$ 80,000 in alleged damages relating to a completely amorphous category of property.<sup>254</sup>

13.10 In Uganda's view, this remarkable uniformity in valuations defies credibility and severely undermines the integrity of the DRC's assertions and claims. Rather than reveal an effort to identify and prove actual harm for which Uganda is responsible, this "methodology" rests on unfounded assumptions and speculation, leading to amounts that are entirely unproven.

13.11 The DRC's claim for allegedly lost diamonds (totalling nearly US\$ 1,100,000) provides another useful demonstration of the evidentiary and methodological flaws that infect the DRC's approach. The valuation list for Beni

---

<sup>250</sup> See, e.g., "vache" in DRCRQ Annex 1.6.C, p. 1; DRCRQ Annex 1.7.C, p. 2; DRCRQ Annex 1.10.C, p. 20; "cochon" in DRCRQ Annex 1.6.C, p. 1; DRCRQ Annex 1.7.C, p. 5; DRCRQ Annex 1.10.C, p. 29.

<sup>251</sup> See, e.g., "meuble" in DRCRQ Annex 1.6.C, p. 2; DRCRQ Annex 1.10.C, p. 2.

<sup>252</sup> See DRCRQ Annexes 1.6.C, 1.7.C, 1.10.C.

<sup>253</sup> See, e.g., "marchandise" in DRCRQ Annex 1.6.C, p. 60; DRCRQ Annex 1.7.C, p. 6; DRCRQ Annex 1.10.C, p. 1.

<sup>254</sup> See, e.g., "marchandise" in DRCRQ Annex 1.6.C, p. 60; DRCRQ Annex 1.7.C, p. 6; DRCRQ Annex 1.10.C, p. 1.



(Annex 1.6.C) references the alleged loss of a single diamond nominally valued at US\$ 300,000.<sup>255</sup> However, the victim identification form which appears to be the basis for this valuation (from file “KISANGANI\_SUITE1\_CCF06032016\_001&\_004”) does not include any support for the amount stated, but merely refers to a “12 carat diamond”. Nor is there any evidentiary back-up.<sup>256</sup>

13.12 The 17 alleged instances of lost diamonds in Kisangani are equally unproven. The victim identification forms offered as evidence are woefully inadequate. The form allegedly documenting the loss of a diamond valued at US\$ 375,000 (from file “CCF22082016\_0054\_002”) is illustrative. Reproduced below, this incomplete form does not even mention lost diamonds (or any other specific material loss) and in no way supports the large sum the DRC tries to claim based on it:<sup>257</sup>

---

<sup>255</sup> See “diamant” in DRCRQ Annex 1.6.C, p. 5.

<sup>256</sup> See DRCRQ Annex 1.6.C, p. 5; DRCRQ Annex 1.5, KISANGANI\_SUITE1\_CCF06032016\_001&\_004.

<sup>257</sup> See DRCRQ Annex 1.10.C, p. 39; DRCRQ Annex 1.2, CCF22082016\_0054\_002.

## 5. Type des réparations souhaitées

| Réparation souhaitée   | Nature de la réparation individuelle          | Nature de la réparation collective |
|--|---|------------------------------------|
| Réparation matérielle<br>(compensation financière,<br>compensation en nature): | Compensation financière<br>de 50.000 \$.      | La réhabilitation du pays          |
| Réparation symbolique<br>(excuses, mémoire)                                    | Je suis prête à pardonner tous les bonzaïmes. |                                    |

De tous les types des réparations souhaitées, quelles sont ceux qui sont prioritaires pour vous (indiquer trois priorités seulement):

1. Je désire la compensation financière.
2. La réhabilitation matérielle.
3. Rien qu'en nature.

6. Lieu et date de l'identification : KISANBANI le 21 oct. 013.

7. Nom de l'interviewer et n° de tél. : DEORA-ATWAMA.

8. Lieu et date de l'interview : Same tel.

9. Signature de la victime interviewée :

10. Signature de l'interviewer : JEAN DE BIEN-KITOKO.

Tel: 0823868763.

4 

13.13 The DRC’s valuation lists also purport to summarize the damages allegedly caused to the same public and private companies that Uganda showed to be baseless in its Counter-Memorial.<sup>258</sup> The DRC does not respond to Uganda’s previous critiques but nevertheless continues to include those (disproven) damages as part of its claim. On page 36 of the valuation list for Kisangani, for example, the DRC claims the following damages to the Congolese National Bank:<sup>259</sup>

| <b>VICTIME : BANQUE CENTRALE DU CONGO</b> |                     |                      |                 | <b>CCF05032016 (2)_002</b> |
|---|---------------------|----------------------|-----------------|----------------------------|
| <b>N°</b>                                 | <b>LIBELLE BIEN</b> | <b>PRIX UNITAIRE</b> | <b>QUANTITE</b> | <b>PRIX TOTAL</b>          |
| 1   | ARGENT EN ESPECE    | 2630.0               | 1               | 2630.0                     |
| 2   | CHAINE MUSICALE     | 650.0                | 1               | 650.0                      |
| 3   | RADIO               | 1300.0               | 1               | 1300.0                     |
| 4   | TELEVISION          | 250.0                | 1               | 250.0                      |
| <b>Total Partiel:</b>                     |                     |                      |                 | <b>4830.0\$</b>            |

13.14 The alleged damages are nominally based on the victim identification form in the file “CCF05032016\_2\_002”, reproduced below:

---

<sup>258</sup> See UCM, paras. 7.98-7.130.

<sup>259</sup> DRCRQ Annex 1.10.C, p. 36.

REPUBLIQUE DEMOCRATIQUE DU CONGO  
MINISTRE DE LA JUSTICE ET DROITS HUMAINS

Cabinet du Ministre

Commission d'Evaluation du Préjudice subi par la R.D.C. lors de la  
guerre d'agression par l'Ouganda

FORMULAIRE F

Dossier n° .....

**FICHE D'IDENTIFICATION PREJUDICES**

➤ **VICTIMES : ETAT CONGOLAIS / PROVINCES**

1. Structure : BANQUE CENTRALE DU CONGO
2. Localisation : VILLE DE KISANGANI CANTON DE AKISO  
1<sup>ère</sup> AVENUE n° 8 (14) Plateau Boycha
3. Dommages Subis :

| Nature   | Date   | Auteurs présumés                                       |
|--|--|--|
| ① Perte d'une chaîne de musique SONY d'une valeur de 650 \$USA | Pendant la guerre de 6 jours du 05 au 11/06/2000 | Inconnus, sûrement les armées ougandaise et rwandaise. |
| ② Perte d'une porte radio de marque GRUNDIG 1300               | - " -  |  |
| ③ Perte d'une somme de 2.630 \$USA.                            | - " -  |  |
| ④ Perte d'une porte télévision SONY 23/pne                     |  |  |

13.15 As the Court can see, this form does no more than list the same four items as the valuation list and provides no corroborating documentation in the form of bills, receipts, pictures, *etc.* Notably, the form also refers to the alleged perpetrators as “unknown, probably the Ugandan and Rwandan armies”.<sup>260</sup>

13.16 The claim for over US\$ 1,100,000 for damages allegedly caused to the textile company, “SOTEXKI”, which is listed on page 265 of the valuation list for Kisangani,<sup>261</sup> equally fails for lack of proof. As Uganda explained in its Counter-Memorial, the documents the DRC relies on in of this claim (1) do not attribute the alleged damages to Uganda; (2) contain no proof of the alleged damages; and (3) state nominal values that actually add up to 20% *less* than the DRC claims in its valuation list.<sup>262</sup>

\*

13.17 The above examples illustrate the baselessness of the DRC’s claims for property loss and damage in Beni, Butembo and Kisangani. The DRC has entirely failed to present and prove its damages in the manner typically required in the inter-State proceedings. It has therefore given the Court no basis on which to award it the amounts it claims for property damages in Kisangani Beni or Butembo.

---

<sup>260</sup> DRCRQ Annex 1.5, KISANGANI\_SUITE\_CCF05032016\_2\_002 (Translation by Counsel, original in French: “Inconnus, sûrement les armées ougandaise et rwandaise”).

<sup>261</sup> DRCRQ Annex 1.10.C, p. 265.

<sup>262</sup> UCM, paras. 7.125-7.130.



## Question 14

*Can the DRC explain its methodology for assessing the proportion of each type of dwelling destroyed in Ituri district and the reconstruction costs for the dwellings?*

### **Uganda's Comments on the DRC's Response:**

14.1 Question 14 contains two parts. *First*, the DRC is asked to explain its methodology for assessing the proportion of each type of dwelling destroyed in Ituri. *Second*, it is asked to explain its methodology for assessing the reconstruction costs for those dwellings. The DRC's response only underscores that its claims with respect to both the proportion of each type of dwelling allegedly destroyed and their reconstruction costs have no basis in evidence and are therefore arbitrary.

14.2 As regards the **proportion** of each type of dwelling destroyed, the DRC Memorial alleged that 80% were simple dwellings, 15% medium dwellings and 5% luxury houses.<sup>263</sup> The DRC's response says that it determined the percentages based on: (1) "the location" where the destruction had taken place, including whether it was a rural or urban area;<sup>264</sup> (2) "the information contained in the reports prepared by the fact-finding missions established by the official UN bodies"<sup>265</sup>; and (3) testimonies recorded in victim identification forms.<sup>266</sup> Yet no support for the proportions stated can be found in any of these sources.

---

<sup>263</sup> DRCRQ, para. 14.2.

<sup>264</sup> DRCRQ, paras. 14.3-4.

<sup>265</sup> DRCRQ, para. 14.3 (Translation by Counsel, original in French: "des informations contenues dans des rapports élaborés par des missions d'enquête mises en place par les organes de l'ONU").

<sup>266</sup> DRCRQ, para. 14.3.

14.3 With respect to the issue of location, the DRC does not provide evidence demonstrating that the dwellings at issue were in urban, rural areas or mixed residential areas. Indeed, many of the victim identification forms the DRC presents concerning harm to houses do not indicate their location in any way. Moreover, the DRC does not explain how this fact, even assuming it were properly established (*quod non*), might support the percentages it gives. Uganda assumes (but it is only that: an assumption), that the DRC is intending to suggest that there are more simple homes in rural areas than in urban areas. But even if that broad assumption were correct (which seems unlikely), and even if it were established in fact that more rural than urban houses were destroyed (which it has not been), Uganda fails to see how that, without more, results in the very precise allocation the DRC purports to achieve. Instead, it appears to constitute guesswork based upon pure speculation.

14.4 With respect to the putative UN reports, the DRC's response does not even cite any specific UN report. It is unclear how such unidentified reports might support the DRC's claim.

14.5 With respect to the victim identification forms, these are nominally summarized in a list of "lost property" found in Annex 1.9.E ("*Liste des Biens Perdus Ituri*"). But no support for the claimed proportions can be found there either.

14.6 The list purports to reflect the destruction of 13,384 simple dwellings ("*habitation légère*"), 199 medium dwellings ("*habitation moyenne*"), and 26



luxury houses (“*habitation de luxe*”).<sup>267</sup> Dividing the total by the numbers for each category of allegedly destroyed dwellings yields the following percentages:

- 98.3% for “simple” dwellings;
- 1.5% for “medium” dwellings; and
- 0.2% for “luxury” dwellings.

14.7 The DRC’s claims concerning the proportion of each type of dwelling allegedly destroyed in Ituri are thus not based on any genuine methodology. In fact, its assertions are inconsistent with the very sources on which the DRC relies.

14.8 As regards the **reconstruction costs**, the DRC Memorial assessed them at US\$ 300 for each simple dwelling, US\$ 5,000 for each medium dwelling and US\$ 10,000 for each luxury home.<sup>268</sup> Those costs, according to the DRC’s response to Question 14, are based on victim identification forms where “*some of the victims ... described the dwellings they had lost and the materials of which they were composed*”.<sup>269</sup> The DRC further asserts that “[k]nowing the cost of such buildings in this region of the DRC”, it chose “the least expensive possible price”.<sup>270</sup> As discussed below, none of these assertions is grounded in evidence.

14.9 *First*, as stated, many of the victim identification forms do not even specify the location of houses, even to the extent of making clear whether they were

---

<sup>267</sup> Liste des Biens Perdus Ituri, p. 3 (DRCRQ Annex 1.9.E).

<sup>268</sup> DRCM, para. 7.35.

<sup>269</sup> DRCRQ, para. 14.5 (Translation by Counsel, original in French: “certaines victimes ... décrivaient les bâtiments qu’elles avaient perdus et les matières desquelles ils étaient faits”) (emphasis added).

<sup>270</sup> DRCRQ, para. 14.5 (Translation by Counsel, original in French: “Connaissant le coût de tels bâtiments dans cette région de la RDC ... le prix le moins cher possible”).

located in rural or urban areas, let alone do they indicate or prove any reconstruction costs through competent evidence such as invoices, receipts, construction contracts, bank statements, etc. This recurrent flaw is illustrated in the victim identification form from the file “ITURI\_SUITE\_CCF05032016\_0001 (3)\_008” (reproduced below). It states only: “1 house burned with all objects, and 1 metal house lost metal sheet”.<sup>271</sup> In addition to not specifying the location of the two houses it does not even contain an estimate of reconstruction costs.

14.10 Like this form, many others equally fail to provide any of the information that would be necessary to tether the DRC’s claims to fact.<sup>272</sup> *None* of the forms provides *any* supporting evidence, by which reconstruction costs are demonstrated or can even be estimated. This lack of evidence is especially notable with respect to the alleged “medium” and “luxury” homes for which the DRC seeks very substantial amounts, which presumably would have been owned by persons likely to keep reconstruction records or estimates of the kind noted above. Yet even for those houses, the DRC has submitted nothing in response to the Court’s question.

---

<sup>271</sup> ITURI\_SUITE\_CCF05032016\_0001 (3)\_008 (Translation by Counsel, original in French: “1 maison brûlée + avec tous objets, 1 maison en tôle détolée”) (DRCRQ Annex 1.4).

<sup>272</sup> *See, e.g.*, the “victim identification forms” mentioned in DRCRQ Annex 1.9.C: ITURI\_SUITE5\_CCF07032016\_003, p. 166; ITURI\_SUITE5\_CCF07032016\_004, p. 27; ITURI\_SUITE5\_CCF07032016\_006, p. 140; ITURI\_SUITE5\_CCF07032016\_008, p. 169; ITURI\_SUITE5\_CCF07032016\_010, p. 10; ITURI\_SUITE5\_CCF07032016\_011, p. 150; ITURI\_SUITE5\_CCF07032016\_015, p. 98; ITURI\_SUITE5\_CCF07032016\_017, p. 102; ITURI\_SUITE5\_CCF07032016\_019, p. 3; ITURI\_SUITE5\_CCF07032016\_023, p. 3; ITURI\_SUITE5\_CCF07032016\_025, p. 36; Ituri\_CCF04032016\_0015\_022, p. 103; ITURI\_SUITE\_CCF04032016\_0002\_002, p. 139; ITURI\_SUITE\_CCF04032016\_0002\_004, p. 88; ITURI\_SUITE\_CCF04032016\_0002\_008, p. 173; ITURI\_SUITE\_CCF04032016\_0002\_012, p. 79; ITURI\_SUITE\_CCF04032016\_0005\_002, p. 150.

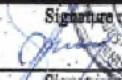

## FICHE D'IDENTIFICATION DE LA VICTIME

### PERSONNE PHYSIQUE

|  |                             |                                   |
|--|-----------------------------|-----------------------------------|
| 1. Nom, Post-nom (Prénom) : <u>ABDOUL HASSANI</u>  |                             |                                   |
| Surnom   |                             |                                   |
| 2. Sexe : <u>M</u>   | Ethnie : <u>BIRA</u>        |                                   |
| 3. Lieu et date de naissance : <u>MARABO, le 17/01/1973</u>  |                             |                                   |
| Nom du père : <u>MAHAMOUD (F)</u> et de la mère : <u>MA DIANOU</u>   |                             |                                   |
| 5. Village d'origine : <u>TORRO</u>  | Groupement : <u>MUSUNZA</u> | Secteur/Chefferie : <u>MOBALA</u> |
| Territoire : <u>B. B. B.</u>   | District : <u>TORRO</u>     | Province : <u>GUINDESA</u>        |
| 6. Etat-civil : <u>Célibataire - Marié(e) - Divorcé(e) - Veuf(ve)</u>  |                             |                                   |
| 7. Profession : <u>CULTIVATEUR</u>   |                             |                                   |
| (Si possible, nom ou dénomination et adresse de l'employeur)   |                             |                                   |
| 8. Domicile/Résidence : <u>TORRO, MARABO</u>   |                             |                                   |
| 6. Dommages subis :  |                             |                                   |
| Nature   | Date                        | Auteurs présumés                  |
| 1° Fuite dans la forêt : <u>DE MARABO à BUNIA</u>  | /                           |                                   |
| 2° Perte des biens : <u>- 1 maison brûlée + avec tous objets + 1 maison en bois détrepée + 8 chèvres + 20 canards - 12 poules + 2 lapins</u> |                             |                                   |
| 3° Préjudices corporels graves : <u>1 blessé grave/paralysé</u>  |                             |                                   |
| 4° Décès : <u>4 morts</u>  |                             |                                   |

7. Lieu et date d'identification : Marabo, le 10/10/2008

Signatures : 

|  |   |   |
|--|---|---|
| Nom Enquêteur : <u>MUSUNZA - OMBIA André</u>             | Fonction officielle : <u>Comd. Sup. local PNC</u> | Signature :   |
| Nom du Déclarant : <u>M<sup>o</sup> ABDOUL - HASSANI</u> | Profession : <u>cultivateur</u>                   | Signature :  |
| Nom Interprète :   | Profession :                                      | Signature :   |
| Autre personne présente :                                | Profession :                                      | Signature :   |

14.11 *Second*, even though the DRC alleges it surveyed reconstruction costs across different regions and selected the lowest numbers,<sup>273</sup> it provides no

<sup>273</sup> DRCRQ, paras. 14.4-14.5.

information—literally nothing—about this survey or how it resulted in the estimated costs. If such a survey had really been undertaken, the DRC should be expected to have submitted it, or at least some supporting materials in the form of bills, receipts or other documents that might corroborate the alleged costs.

14.12 *Third*, the DRC has provided no other evidence of reconstruction costs or estimates to support its claimed lump-sum amounts. For example, the DRC could have obtained signed declarations from mayors or village leaders, urban planners or building companies as to the average costs of reconstructing houses at particular locations, based on their knowledge as to the damage inflicted and the materials needed. But no such information has been provided to the Court.

14.13 The DRC's allegations concerning the alleged reconstruction costs are therefore without foundation.

\*

14.14 Because neither the proportion of dwellings allegedly destroyed nor their purported reconstruction costs have any basis in evidence, the DRC's compensation claim under this head of damages is equally baseless. The DRC has failed to give the Court what the law requires to support an award of compensation.

## Question 15

*Could the DRC provide further explanation of the evidence on which it based its calculation in order to request payment, as a measure to ensure just satisfaction, of the amount of USD 100,000,000 for the intangible damage that was caused to it by Uganda?*

### **Uganda's Comments on the DRC's Response:**

15.1 Question 15 asks the DRC to “provide further explanation of the *evidence* on which it based its calculation” to request an additional payment of US\$ 100,000,000 as an element of satisfaction in this case. The DRC’s response does not do that. It does not contain any discussion of any evidence on which its calculation purports to be based. Rather than answer the question the Court asked, the DRC confines itself to making certain general observations, none of which are relevant to the issue at hand.

15.2 The closest the DRC comes to actually addressing the issue raised by the Court’s question is the statement that “[i]n this case, the criterion for valuation in order to determine the amount to be paid proves to be the gravity of the wrongful act”.<sup>274</sup> Elsewhere, the DRC adds: “In fact, the occupation of the Congolese territory was not merely an invasion, nor swift entry by the troops of this country into the Congolese territory. Rather it consisted of a real occupation and a takeover of a portion of the territory. That justifies, first, the claim for the amount of USD 100,000,000 made by the DRC”.<sup>275</sup>

---

<sup>274</sup> DRCRQ, para. 15.11 (Translation by Counsel, original in French: “Dans ce cas, le critère d’évaluation en vue de déterminer le montant à payer se trouve être la gravité du fait illicite”).

<sup>275</sup> DRCRQ, para. 15.14. (Translation by Counsel, original in French: “En effet, l’occupation du territoire congolais n’était pas une simple invasion, ni une entrée éclairée (sic) des troupes de ce pays

15.3 These assertions, of course, have nothing to do with the “evidence” on which the DRC’s claim is based. They do, however expose the real object of the DRC’s claim. At root, the DRC seeks another US\$ 100 million as a form of punitive damages against Uganda in light of the alleged “gravity of the wrongful act”. Yet as Uganda showed in its Counter-Memorial, it is settled that punitive damages are excluded as a remedy under international law.<sup>276</sup> And the ILC has forcefully stated: “[S]atisfaction is not intended to be punitive in character, nor does it include punitive damages”.<sup>277</sup>

15.4 The balance of the DRC’s response is directed at a discussion of the legal authorities that ostensibly support the payment of money as a form of “satisfaction”. The DRC tries to rely, for example, on Article 45(2) of the 1996 draft articles on the international responsibility of States for internationally wrongful acts, which stated that satisfaction could take financial form.<sup>278</sup> This reliance is misplaced for several reasons.

15.5 *First*, as the DRC itself acknowledges, draft Article 45(2) contemplated the possibility of the payment of a “token sum” as an additional form of compensation.<sup>279</sup>

15.6 *Second*, as the DRC also acknowledges, “[i]n the last report of the International Law Commission (ILC) on the international responsibility of States

---

sur le territoire congolais. Il s’agissait d’une véritable occupation et prise de contrôle d’une partie du territoire. Cela justifie dans un premier temps la revendication de la somme de 100.000.000 de dollars des Etats-Unis par la RDC”).

<sup>276</sup> UCM, Chapter 4.III.

<sup>277</sup> ARSIWA, Art. 37, cmt. 8.

<sup>278</sup> DRQRQ, para. 15.7.

<sup>279</sup> DRQRQ, para. 15.7.

for an internationally wrongful act, financial satisfaction is not included”.<sup>280</sup> In other words, the final version of the articles adopted by the ILC in 2001 do *not* contemplate financial satisfaction.

15.7 *Third*, the reference to financial satisfaction was ultimately dropped precisely because the ILC rejected the notion that States could bear criminal responsibility in international law and, with it, the notion of punitive damages.<sup>281</sup> The deletion suggests that financial satisfaction is not a permissible remedy; if it were, the result would be to confuse two distinct forms of reparation: satisfaction and compensation.

15.8 *Fourth*, and in any event, the reference to the ILC’s 1996 draft articles is not responsive to the Court’s question, which seeks clarification of the “evidence” on which the DRC’s calculation is based.

15.9 The DRC also cites to the awards of certain arbitral tribunals that granted financial satisfaction.<sup>282</sup> Again, the Court’s question was not seeking abstract references to case law. Rather, it was inviting the DRC to explain the *evidence* upon which the DRC’s claim for US\$ 100,000,000 is based. Simply enumerating previous cases allegedly granting payment of money as a satisfaction for moral damage does not answer the question.

---

<sup>280</sup> DRCRQ, para. 15.7 (Translation by Counsel, original in French: “Dans le dernier rapport de la CDI sur la responsabilité internationale des Etats pour fait internationalement illicite, la satisfaction financière n’est pas reprise”).

<sup>281</sup> *See* para 15.8, *infra*.

<sup>282</sup> DRCRQ, paras. 15.8-15.10.

15.10 Moreover, those cases—which are mostly dated and were not decided by the Court—confirm that any such amounts are to be symbolic<sup>283</sup>—a point the DRC effectively recognizes when it states that “satisfaction ... can also occur by means of the payment of *a token sum of money*”.<sup>284</sup> Indeed, with the exception of *I’m Alone (Canada v. United States of America)*, the very few cases invoked by the DRC relate to the payment of very modest amounts for moral damages suffered by private persons. Thus, in the *Arends* case, it was ruled:

“The damages consequent upon the detention of this vessel are necessarily small, but it is the belief of the umpire that the respondent Government is willing to recognize its responsibility for the untoward act of its officers under such circumstances and to express to the sovereign and sister State, with which it is on terms of friendship and commerce, its regret for such acts in the only way that it can now be done, which is through the action of this Commission by an award on behalf of the claimant sufficient to make full amends for the unlawful delay. In the opinion of the umpire this sum may be expressed in the sum of \$100 in gold coin of the United States of America, or its equivalent in silver, at the current rate of exchange at the time of payment, and judgment may be entered for that amount”.<sup>285</sup>

15.11 Similarly, in the case of the *Heirs of Maninat*, the French-Venezuelan Mixed Claims Commission noted that it was difficult to measure claimant’s exact

---

<sup>283</sup> See UCM, para. 10.41.

<sup>284</sup> DRCRQ, para. 15.5 (emphasis added) (Translation by Counsel, original in French: “La satisfaction ... peut aussi se manifester par le paiement d’une somme d’argent, à titre symbolique”); see also *ibid.*, para. 15.7.

<sup>285</sup> *Arends Case (Netherlands-Venezuela Mixed Claims Commission)*, Arbitral Award, Umpire Plumley, 10 RIAA 729 (1903), p. 730 (emphasis added). Indeed, 100 gold dollars is not a totally negligible amount but it does not exceed at best some thousand today’s dollars, an amount which is not commensurate with the amount requested by the DRC in the present case.



pecuniary loss and added: “[T]he more important feature of this case is the unatoned indignity to a sister Republic through this inexcusable outrage upon one of her nationals who had established his domicile in the domain of the respondent Government”.<sup>286</sup> However, it was “the judgment of the umpire that a just compensation *which covers both aspects of this case is 100,000 francs*”.<sup>287</sup>

15.12 And, in the *I’m Alone* case, no compensation was awarded but it was decided that “[t]he act of sinking the ship, however, by officers of the United States Coast Guard, was, as we have already indicated, an unlawful act; and the Commissioners consider that the United States ought formally to acknowledge its illegality, and to apologize to His Majesty’s Canadian Government therefor; and, further, that as a material amend in respect of the wrong the United States should pay the sum of \$25,000 to His Majesty’s Canadian Government”.<sup>288</sup> Uganda considers this aspect of the decision to be no longer consistent with modern international law; this “material amend” was plainly of a punitive nature.<sup>289</sup>

15.13 The DRC also refers to the *Rainbow Warrior* case and to the fact that France paid US\$ 7 million New Zealand,<sup>290</sup> adding that “[t]he characterization of this sum always indicated that it included, in addition to some expenses caused by the incident, a sum for financial satisfaction *or better, compensation* for the moral

---

<sup>286</sup> *Heirs of Jean Maninat Case (France-Venezuela Mixed Claims Commission)*, Arbitral Award, 10 RIAA 55 (31 July 1905), pp. 81-82.

<sup>287</sup> *Ibid.*, p. 83 (emphasis added).

<sup>288</sup> *S.S. “I’m Alone” (Canada, United States)*, Arbitral Award, 3 RIAA 1609 (30 June 1933 and 5 Jan. 1935), p. 1618.

<sup>289</sup> *Ibid.*, p. 1618.

<sup>290</sup> DRCRQ, para. 15.16.

damage”.<sup>291</sup> If the DRC is trying to suggest that the US\$ 7 million constituted a form of satisfaction, it is mistaken. In his 1986 ruling, the UN Secretary-General noted that “New Zealand seeks *compensation* for the wrong done to it and France is ready to pay some *compensation*. ... My ruling is that the French Government should pay the sum of US \$7 million to the Government of New Zealand *as compensation* for all the damage it has suffered”.<sup>292</sup> Analysing that ruling, the arbitral tribunal noted in its 1990 Award that “[t]he granting of *a form of reparation other than satisfaction* has been recognized and admitted in the relations between the parties by the Ruling of the Secretary-General of 9 July 1986, which has been accepted and implemented by both Parties to this case”.<sup>293</sup> And indeed, in the second paragraph of their Agreement of 9 July 1986 the Parties agreed that “the French Government will pay the sum of US 7 million to the Government of New Zealand *as compensation for all the damage which it has suffered*”.<sup>294</sup>

\*

15.14 The DRC has thus failed to answer the question the Court asked. It has provided no further explanation of the *evidence* on which it based its calculation of US\$ 100,000,000 as just satisfaction. Moreover, its response does nothing to

---

<sup>291</sup> *Ibid.*, para. 15.17 (emphasis added) (Translation by Counsel, original in French: “La qualification de cette somme a toujours révélé qu’elle comprenait, en plus de quelques dépenses occasionnées par cet incident, une satisfaction financière *ou mieux, une indemnisation* du dommage moral”).

<sup>292</sup> *Case concerning the difference between New Zealand and France concerning the interpretation or application of two agreements, concluded on 9 July 1986 between the two States and which related to the problems arising from the Rainbow Warrior Affair*, Ruling, 20 RIAA 215 (30 Apr. 1990), Ruling 2 Compensation, p. 224 (emphasis added).

<sup>293</sup> *Ibid.*, para. 115 at p. 271 (emphasis added).

<sup>294</sup> *Ibid.*, p. 271 (emphasis in original).

resolve the defects in the *legal basis* of its claim, which essentially seeks punitive damages under the guise of “satisfaction”.



## Question 16

*Could the DRC explain what is the legal basis it resorted to in order to request that Uganda, as a measure to ensure satisfaction, finance the creation of a fund intended to promote reconciliation between the Hema and the Lendu in Ituri?*

### **Uganda's Comments on the DRC's Response:**

16.1 Question 16 is straightforward. Yet rather than answer it, the DRC's response merely repeats what it already said in its Memorial and again cites to the *Rainbow Warrior* case as a precedent.<sup>295</sup> Uganda addressed the *Rainbow Warrior* case in its Counter-Memorial, where it showed that it does not support the DRC's request.<sup>296</sup>

16.2 In brief, the fund in the *Rainbow Warrior* case was not ordered by the arbitral tribunal. Rather, only *after and separately* from the issue of reparation, did the tribunal make a non-legally-binding recommendation for the creation of the fund, which was aimed at promoting "close and friendly relations between the citizens of the two countries".<sup>297</sup> Thereafter, in view of the particular circumstances of the relationship between the parties in that case, France did not challenge "in any way the power of the Tribunal to make such recommendations in aid of the resolution of the dispute".<sup>298</sup> Here, in contrast, Uganda denies the

---

<sup>295</sup> DRCRQ, paras. 16.4-16.5.

<sup>296</sup> UCM, paras. 10.42-10.44.

<sup>297</sup> *Case concerning the difference between New Zealand and France concerning the interpretation or application of two agreements, concluded on 9 July 1986 between the two States and which related to the problems arising from the Rainbow Warrior Affair*, Ruling, 20 RIAA 215 (30 Apr. 1990), p. 274, para. 127 (emphasis added).

<sup>298</sup> *Case concerning the difference between New Zealand and France concerning the interpretation or application of two agreements, concluded on 9 July 1986 between the two States and which*

existence of any legal basis for ordering the creation of a fund as sought by the DRC.

16.3 Other than its (erroneous) citation to *Rainbow Warrior*, the DRC does not point to any legal authority supporting its claim—because there is none. The request to establish a reconciliation fund is, in a word, unsustainable.

16.4 Although not directly relevant to the Court’s question, the DRC does take the opportunity to assert that “Uganda was behind the bloody ethnic conflict that pitted the Hema against the Lendu. Since that conflict erupted, reconciliation between the two communities has not yet taken place”.<sup>299</sup> For the avoidance of doubt, Uganda wishes to reiterate that this is simply not true. While Uganda fully accepts the Court’s 2005 Judgment, the DRC’s suggestion that Uganda alone is responsible for the Hema-Lendu conflict is entirely ahistorical. As Uganda showed in its Counter-Memorial, the conflict is one of long-standing. It has been an unfortunate aspect of life in the eastern DRC since the beginning of colonial times, if not earlier.<sup>300</sup> It both predates and postdates Uganda’s presence in the DRC. There is therefore no factual basis to make Uganda alone shoulder the costs of reconciliation.

---

*related to the problems arising from the Rainbow Warrior Affair*, Ruling, 20 RIAA 215 (30 Apr. 1990), p. 274, para. 138.

<sup>299</sup> DRCRQ, para. 16.2 (Translation by Counsel, original in French: “L’Ouganda était donc à l’origine du conflit ethnique sanglant ayant opposé les Hema et les Lendu. Depuis ce conflit, la réconciliation entre les deux communautés n’est pas encore réellement scellée”).

<sup>300</sup> UCM, paras. 2.8-2.81.

## Question 17

*Can both Parties submit their views with respect to collective reparations, including the form they should take?*

### **Uganda’s Comments on the DRC’s Response:**

17.1 Uganda submitted its response to this question on November 1. The DRC’s response to Question 17 indicates that there is at least one point of agreement between the Parties: the definition of “collective reparations” is not settled. As the DRC itself acknowledges, “in international law there is no consensus on the definition of the concept of ‘collective reparations’”.<sup>301</sup>

17.2 Despite this frank acknowledgement, the DRC nevertheless tells the Court that it is, at least in part, seeking collective reparations (whatever meaning that term might be given). Yet, as Uganda showed in its own response to Question 17, collective reparations are not an available remedy under the rules of State responsibility applicable in inter-State disputes.<sup>302</sup> And the DRC’s response notably does not identify any legal basis for the granting of such reparations in this case. Nor does it explain how it might be justified in making a claim for collective reparations at this late stage of these proceedings, when it has never before made such a claim, whether during the merits phase or in its Memorial on reparation.

---

<sup>301</sup> DRCRQ, para. 17.4 (Translation by Counsel, original in French: “en droit international, il n’existe pas de définition de la notion de ‘réparations collectives’ faisant consensus”).

<sup>302</sup> URQ, p. 12.

17.3 Even as it states that it is exercising “its choice for a dual form of reparation, both individual and collective”,<sup>303</sup> the DRC maintains a studied ambiguity when it comes to specifying to what extent, and with respect to which claims, it seeks collective versus individual reparations. Nor does it articulate what type of collective reparations should be awarded, to which collective(s) and for what kind of injuries.

17.4 The DRC also does not adduce any evidence, even of a general nature, concerning any particular group or community, much less does it come forward with evidence of any identifiable injury to such a group or collective. Nor does it indicate how any collective reparations that might be awarded would be distributed in order to benefit specific groups or communities.

17.5 To the extent the DRC’s response to Question 17 contains any hints as to in what sense it seeks collective reparations, the DRC seems to suggest—for the first time—that the fund it seeks to promote reconciliation between the Hema and the Lendu in Ituri would constitute a form of collective reparation.<sup>304</sup> Yet, as discussed with respect to the prior question, the DRC has claimed US\$ 25 million for such a fund under the rubric of *satisfaction* in reparation for the benefit of *the DRC itself*, not as a matter of collective reparations for groups of persons.

---

<sup>303</sup> DRCRQ, para. 17.3 (Translation by Counsel, original in French: “son choix pour une double forme de réparation, individuelle et collective”).

<sup>304</sup> The DRC writes that “some kinds of damage, for instance, the ethnic hatred which dominated the relationship between two ethnic groups, could find satisfaction in the creation of a fund intended for the reconciliation of the two communities”. DRCRQ, para. 17.16 (Translation by Counsel, original in French: “certains dommages, par exemple la haine ethnique qui s’est emparée des relations entre deux ethnies, peuvent trouver satisfaction dans la création d’un fonds destiné à la réconciliation de deux communautés”).



17.6 Uganda respectfully submits that the DRC may not suddenly—and opportunistically—change its claim in that regard simply because the Court questioned its legal basis in Question 16 and solicited the Parties’ views about collective reparations in Question 17.

\*

17.7 Despite its flaws, the DRC’s response to Question 17 is telling in at least one important respect. Specifically, the DRC writes about its claim that

“[t]he objection could also be made to the DRC that by opting for individual reparations to compensate for the harms resulting from murders, physical injuries and rapes, we will arrive at discriminatory outcomes, since some *victims who were not identified or listed by the commission will be excluded from the distribution of the individual reparations*”.<sup>305</sup>

17.8 Uganda considers this statement both revealing and troubling. Here, the DRC is saying that only those alleged victims “identified or listed by the Commission” (i.e., those appearing on the DRC’s “valuation lists”) will receive “the distribution” of any compensation the Court may order.

17.9 The statement is revealing because the numbers of victims listed on the DRC’s valuation lists are an order of magnitude less than the total numbers for which it claims compensation. With respect to deaths, for example, the DRC Memorial claims compensation for 180,000 deaths. Yet only 5,440 deaths purport

---

<sup>305</sup> DRCRQ, para. 17.27 (emphasis added) (Translation by Counsel, original in French: “On pourra aussi opposer à la RDC l’argument qu’en optant pour les réparations individuelles pour réparer les dommages nés des meurtres, des dommages corporels et des viols, l’on arrivera à des résultats discriminatoires, certaines victimes qui n’étaient pas identifiées ni recensées par la commission seront mises de côté par le partage des réparations individuelles”).

to be recorded on the valuation lists (and 4,644 of those on their face relate to individuals who are not even identified).<sup>306</sup> The DRC thus seeks compensation for the alleged deaths of 175,000 individuals who, even on the DRC's approach, would never see a penny of any compensation the Court might order.

17.10 The statement is troubling because if the intended beneficiaries of the money are not those who in fact suffered harm, it is a mystery as to who the actual beneficiaries will be.

---

<sup>306</sup> See DRCRQ Annexes 1.6, 1.7, 1.8, 1.9, 1.10.

Respectfully submitted,

---

Amb. Mirjam Blaak  
CO-AGENT OF THE REPUBLIC OF UGANDA  
7 January 2019



## LIST OF APPENDICES

|  |     |
|--|-----|
| APPENDIX 1: ENTRIES SAMPLED FROM VALUATION LISTS FOR DEATHS.....   | 187 |
| APPENDIX 2: ENTRIES SAMPLED FROM VALUATION LISTS FOR DISPLACEMENT .....  | 194 |
| APPENDIX 3: ENTRIES SAMPLED FROM VALUATION LISTS FOR PERSONAL INJURIES.....  | 202 |
| APPENDIX 4: ENTRIES SAMPLED FROM VALUATION LISTS FOR PROPERTY LOSS OR DAMAGE.....  | 206 |
| APPENDIX 5: SAMPLED ENTRIES THAT LIST FILE NAMES THAT DO NOT CORRESPOND TO ANY FILE IN THE RELEVANT ANNEX.....   | 225 |
| APPENDIX 6: SAMPLED VICTIM IDENTIFICATION FORMS THAT SPECIFIED THE ACTION IN QUESTION .....  | 230 |
| APPENDIX 7: SAMPLED VICTIM IDENTIFICATION FORMS THAT DO NOT ALLEGE THAT THE “ <i>AUTEURS PRÉSUMÉS</i> ” IS UGANDA OR UGANDAN SOLDIERS .....              | 232 |
| APPENDIX 8: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT CONTAIN ANY INFORMATION ABOUT THE VICTIM’S EMPLOYMENT .....                       | 242 |
| APPENDIX 9: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT CONTAIN ANY INFORMATION ABOUT THE VICTIM’S AGE.....                               | 247 |
| APPENDIX 10: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT SPECIFY WHETHER THE DEATH RESULTED FROM DELIBERATE ACTS OF VIOLENCE OR NOT ..... | 252 |
| APPENDIX 11: SAMPLED VICTIM IDENTIFICATION FORMS FOR PERSONAL INJURIES THAT DO NOT ALLEGE THE EXTENT, NATURE, AND/OR TYPE OF THE VICTIM’S INJURY .....   | 257 |

APPENDIX 12: SAMPLED VICTIM IDENTIFICATION FORMS FOR PERSONAL INJURIES THAT DO NOT SPECIFY WHETHER THE INJURY RESULTED FROM DELIBERATE ACTS OF VIOLENCE OR NOT .....259

APPENDIX 13: SAMPLED VICTIM IDENTIFICATION FORMS FOR DISPLACEMENTS THAT DO NOT ALLEGE THE SPECIFIC LOCATION OF DISPLACEMENT .....260

APPENDIX 14: SAMPLED VICTIM IDENTIFICATION FORMS FOR DISPLACEMENTS THAT DO NOT ALLEGE THE SPECIFIC DATES OF DISPLACEMENT .....263

APPENDIX 15: SAMPLED VICTIM IDENTIFICATION FORMS FOR PROPERTY LOSS OR DAMAGE THAT DO NOT STATE THE EXTENT AND/OR NATURE OF THE LOSS OR DAMAGE .....270

APPENDIX 16: SAMPLED VICTIM IDENTIFICATION FORMS FOR PROPERTY LOSS OR DAMAGE THAT DO NOT CLAIM ANY PARTICULAR VALUATION .....283

APPENDIX 17: SAMPLED VICTIM IDENTIFICATION FORMS FOR PROPERTY LOSS OR DAMAGE THAT DO NOT INDICATE THE SPECIFIC TYPE OF PROPERTY LOST OR DAMAGED .....289

APPENDIX 18: SAMPLED VICTIM IDENTIFICATION FORMS FOR DISPLACEMENTS THAT CONTAIN INFORMATION ABOUT THE DURATION OF THE ALLEGED DISPLACEMENT .....292

**APPENDIX 1: ENTRIES SAMPLED FROM VALUATION LISTS FOR DEATHS**

**Entries Sampled from Annex 1.6 (*Evaluation décès Beni*)**

| <b>Entry</b> | <b>Referenced File</b>           |
|--------------|----------------------------------|
| 1            | BENI_CCF05032016 (2)_027         |
| 11           | BENI_SUITE2_CCF08032016_0007_061 |
| 21           | BENI_SUITE2_CCF08032016_008      |
| 31           | BENI_SUITE2_CCF08032016_0001_081 |
| 41           | BENI_CCF05032016_0002 (2)_009    |
| 51           | BENI_CCF05032016_0010_038        |
| 61           | BENI_CCF05032016_0001 (2)_041    |
| 71           | BENI_CCF05032016_0005 (2)_197    |
| 81           | BENI_CCF05032016_0003 (2)_049    |
| 91           | BENI_CCF05032016 (2)_049         |
| 101          | BENI_CCF05032016_0003 (2)_061    |
| 111          | BENI_SUITE2_CCF08032016_0007_035 |
| 121          | BENI_SUITE2_CCF08032016_0007_086 |
| 131          | BENI_CCF05032016_0005 (2)_050    |
| 141          | BENI_CCF05032016_0005 (2)_221    |
| 151          | BENI_CCF05032016_0005 (2)_137    |
| 161          | BENI_CCF05032016_0006 (2)_010    |
| 171          | BENI_CCF05032016_0005 (2)_115    |
| 181          | BENI_CCF05032016_0001 (2)_056    |

|     |                               |
|-----|-------------------------------|
| 191 | BENI_CCF05032016_0001 (2)_170 |
| 201 | BENI_CCF05032016 (2)_037      |
| 211 | BENI_CCF05032016_0005 (2)_068 |
| 221 | BENI_CCF05032016_0003 (2)_069 |
| 231 | BENI_CCF05032016_0003 (2)_002 |
| 241 | BENI_CCF05032016_0005 (2)_053 |
| 251 | BENI_CCF05032016_0001 (2)_155 |
| 261 | BENI_CCF05032016 (2)_035      |
| 271 | BENI_CCF05032016_0005 (2)_203 |
| 281 | BENI_CCF05032016_0006 (2)_040 |
| 291 | BENI_CCF05032016_0006 (2)_022 |

**Entries Sampled from Annex 1.7 (*Evaluation décès Butembo*)**

| <b>Entry</b> | <b>Referenced File</b>       |
|--------------|------------------------------|
| 1            | BUTEMBO_CCF04032016_0003_007 |
| 11           | BUTEMBO_CCF04032016_0001_023 |
| 21           | BUTEMBO_CCF04032016_0005_012 |

**Entries Sampled from Annex 1.8 (*Evaluation décès Gemena*)**

| <b>Entry</b> | <b>Referenced File</b>      |
|--------------|-----------------------------|
| 1            | GEMENA_CCF05032016_0001_006 |

**Entries Sampled from Annex 1.9 (*Evaluation décès Ituri*)**



| Entry | Referenced File                           |
|-------|---|
| 1     | ITURI_SUITE4_CCF07032016_0007_176         |
| 11    | ITURI_SUITE4_CCF07032016_0004_026         |
| 21    | ITURI_SUITE4_CCF07032016_0003_004         |
| 31    | ITURI_SUITE4_CCF07032016_0003_014         |
| 41    | ITURI_SUITE_CCF05032016_0002 (2)_008      |
| 51    | ITURI_SUITE_CCF04032016_0056_014          |
| 61    | ITURI_SUITE_CCF05032016_0001_008          |
| 71    | ITURI_SUITE_CCF05032016_0015 (3)_156      |
| 81    | ITURI_SUITE_CCF05032016_0015 (3)_106      |
| 91    | ITURI_SUITE3_CCF07032016_0008_144 - COPIE |
| 101   | ITURI_SUITE4_CCF07032016_0007_110         |
| 111   | ITURI_SUITE_CCF05032016_0025_016          |
| 121   | ITURI_SUITE4_CCF07032016_0007_082         |
| 131   | ITURI_SUITE3_CCF07032016_0011_025         |
| 141   | ITURI_SUITE4_CCF07032016_0008_012         |
| 151   | ITURI_SUITE_CCF05032016_0027_030          |
| 161   | ITURI_SUITE_CCF05032016_0003 (2)_013      |
| 171   | ITURI_SUITE_CCF05032016_0014_021          |
| 181   | ITURI_SUITE_CCF05032016_0012 (3)_022      |
| 191   | ITURI_SUITE4_CCF07032016_0011_014         |
| 201   | ITURI_SUITE_CCF05032016_0024_026          |
| 211   | ITURI_SUITE4_CCF07032016_0009_036         |
| 221   | ITURI_SUITE4_CCF07032016_0002_044         |
| 231   | ITURI_SUITE_CCF05032016_0006 (3)_012      |
| 241   | ITURI_SUITE_CCF05032016_0001 (3)_030      |
| 251   | ITURI_SUITE_CCF05032016_0027_046          |

| Entry | Referenced File                              |
|-------|--|
| 261   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0009_011 |
| 271   | ITURI_SUITE4_CCF07032016_0005_006            |
| 281   | ITURI_SUITE4_CCF07032016_0011_054            |
| 291   | ITURI_SUITE_CCF04032016_0025_007             |
| 301   | ITURI_SUITE4_CCF07032016_0009_064            |
| 311   | ITURI_SUITE4_CCF07032016_0007_114            |
| 321   | ITURI_SUITE_CCF04032016_0015_007             |
| 331   | ITURI_SUITE4_CCF07032016_0007_058            |
| 341   | ITURI_SUITE3_CCF07032016_0006_013            |
| 351   | ITURI_SUITE3_CCF07032016_0004_023            |
| 361   | ITURI_SUITE_CCF05032016_0024_020             |
| 371   | ITURI_SUITE3_CCF07032016_0003_023            |
| 381   | ITURI_SUITE4_CCF07032016_0007_044            |
| 391   | ITURI_SUITE_CCF05032016_0005 (4)_012         |
| 401   | ITURI_SUITE_CCF04032016_0028_004             |
| 411   | ITURI_SUITE4_CCF07032016_0011_012            |
| 421   | ITURI_SUITE_CCF05032016_0004 (2)_012         |
| 431   | ITURI_SUITE3_CCF07032016_0012_010            |
| 441   | ITURI_SUITE3_CCF07032016_0008_077 - COPIE    |
| 451   | ITURI_SUITE_CCF05032016_0018_033             |
| 461   | ITURI_SUITE_CCF05032016_0026_027             |
| 471   | ITURI_SUITE_CCF05032016_0001 (3)_016         |
| 481   | ITURI_SUITE4_CCF07032016_0007_060            |
| 491   | ITURI_SUITE3_CCF07032016_0004_018            |
| 501   | ITURI_SUITE_CCF05032016_0008 (3)_016         |
| 511   | ITURI_SUITE4_CCF07032016_0006_016            |

| <b>Entry</b> | <b>Referenced File</b>                    |
|--------------|---|
| 521          | ITURI_SUITE_CCF05032016_0017_012          |
| 531          | ITURI_SUITE_CCF05032016_0032_004          |
| 541          | ITURI_SUITE_CCF05032016_0034_006          |
| 551          | ITURI_SUITE_CCF05032016 (4)_010           |
| 561          | ITURI_SUITE_CCF05032016_0009 (3)_002      |
| 571          | ITURI_SUITE_CCF04032016_0029_004          |
| 581          | ITURI_SUITE4_CCF07032016_0011_018         |
| 591          | ITURI_SUITE_CCF05032016_0020_010          |
| 601          | ITURI_SUITE4_CCF07032016_0004_062         |
| 611          | ITURI_SUITE_CCF05032016_0008 (3)_028      |
| 621          | ITURI_SUITE_CCF05032016_0029_020          |
| 631          | ITURI_SUITE_CCF05032016_0009 (2)_019      |
| 641          | ITURI_SUITE4_CCF07032016_0007_245         |
| 651          | ITURI_SUITE4_CCF07032016_0003_016         |
| 661          | ITURI_SUITE4_CCF07032016_0006_006         |
| 671          | ITURI_SUITE3_CCF07032016_0011_038         |
| 681          | ITURI_SUITE4_CCF07032016_0006_012         |
| 691          | ITURI_SUITE4_CCF07032016_0007_209         |
| 701          | ITURI_SUITE3_CCF07032016_0008_089 - COPIE |
| 711          | ITURI_SUITE_CCF05032016_0009 (2)_061      |
| 721          | ITURI_SUITE4_CCF07032016_0006_030         |
| 731          | ITURI_SUITE4_CCF07032016_0004_010         |
| 741          | ITURI_SUITE_CCF05032016_0006 (2)_002      |

**Entries Sampled from Annex 1.10 (*Evaluation décès Kisangani*)**

| <b>Entry</b> | <b>Referenced File</b>                       |
|--------------|--|
| 1            | KISANGANI_SUITE2_CCF06032016_0006_030        |
| 11           | KISANGANI_SUITE_CCF05032016_0001 (2)_056     |
| 21           | COPIE DE CCF22082016_0033_010                |
| 31           | KISANGANI_SUITE2_CCF06032016_0003 (2)_004    |
| 41           | KISANGANI_SUITE2_CCF06032016_0003 (2)_006    |
| 51           | KISANGANI_SUITE1_CCF06032016_0011_116        |
| 61           | KISANGANI_SUITE1_CCF06032016_0015_010        |
| 71           | CCF22082016_008                              |
| 81           | KISANGANI_SUITE1_CCF06032016_0001_028        |
| 91           | COPIE DE CCF22082016_0034_004                |
| 101          | Copie (2) de CCF22082016_0032_002            |
| 111          | KISANGANI_SUITE1_CCF06032016_0001_048        |
| 121          | KISANGANI_SUITE1_CCF06032016_0015_016        |
| 131          | KISANGANI_SUITE1_CCF06032016_0001 (2)_332    |
| 141          | KISANGANI_SUITE1_CCF06032016_0001 (2)_308    |
| 151          | KISANGANI_SUITE1_CCF06032016_0001 (2)_074    |
| 161          | KISANGANI_SUITE1_CCF06032016_0002 (2)_056    |
| 171          | OUGANDA 35                                   |
| 181          | COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| 191          | CCF22082016_0057_004                         |
| 201          | CCF22082016_0021_010                         |
| 211          | KISANGANI_SUITE1_CCF06032016_0001 (2)_224    |
| 221          | COPIE (2) DE KISANGANI_SUITE_CCF05032016_064 |
| 231          | CCF22082016_0050_016                         |
| 241          | KISANGANI_SUITE1_CCF06032016_0011_012        |
| 251          | COPIE DE CCF22082016_0033_010                |

| Entry | Referenced File                       |
|-------|---------------------------------------|
| 261   | Copie de CCF22082016_0033_002         |
| 271   | KISANGANI_SUITE1_CCF06032016_0007_048 |
| 281   | CCF22082016_0051_026                  |
| 291   | CCF22082016_0054_010                  |
| 301   | KISANGANI_SUITE2_CCF06032016_0005_162 |
| 311   | KISANGANI_SUITE2_CCF06032016_0005_168 |
| 321   | KISANGANI_SUITE2_CCF06032016_0005_066 |
| 331   | CCF22082016_0050_014                  |
| 341   | KISANGANI_SUITE2_CCF06032016_0005_100 |
| 351   | CCF22082016_0050_010                  |
| 361   | CCF22082016_0051_004                  |
| 371   | KISANGANI_SUITE1_CCF06032016_0011_332 |
| 381   | CCF22082016_0022_012                  |
| 391   | KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 2: ENTRIES SAMPLED FROM VALUATION LISTS FOR  
DISPLACEMENT**

**Entries Sampled from Annex 1.6.A (*Evaluation fuite Beni*)**

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 1            | BENI_SUITE1_CCF07032016_0010_022      |
| 11           | BENI_SUITE2_CCF08032016_0004_026      |
| 21           | BENI_CCF05032016_0008_020             |
| 31           | BENI_CCF05032016_0001 (2)_031         |
| 41           | BENI_SUITE2_CCF08032016_0004_036      |
| 51           | BENI_SUITE2_CCF08032016_0004_040      |
| 61           | BENI_SUITE2_CCF08032016_0004_097      |
| 71           | BENI_CCF05032016_0006 (2)_159         |
| 81           | BENI_CCF05032016_0006 (2)_153         |
| 91           | BENI_CCF05032016_0006 (2)_156         |
| 101          | BENI_CCF05032016_0002 (2)_046         |
| 111          | BENI_CCF05032016_0006 (2)_219         |
| 121          | BENI_SUITE2_CCF08032016_0004_099      |
| 131          | BENI_SUITE2_CCF08032016_0005_049      |
| 141          | BENI_SUITE2_CCF08032016_0004_006      |
| 151          | BENI_SUITE2_CCF08032016_0007_083      |
| 161          | BENI_SUITE2_CCF08032016_0005_092      |
| 171          | BENI_SUITE2_CCF08032016_0005_090      |
| 181          | BENI_CCF05032016_0005 (2)_273         |
| 191          | BENI_SUITE2_CCF08032016_0005_080      |
| 201          | COPIE DE ITURI_SUITE5_CCF07032016_036 |
| 211          | COPIE DE ITURI_SUITE5_CCF07032016_039 |

| Entry | Referenced File                  |
|-------|----------------------------------|
| 221   | BENI_CCF05032016_0003 (2)_005    |
| 231   | BENI_CCF05032016 (2)_004         |
| 241   | BENI_CCF05032016_0005 (2)_157    |
| 251   | BENI_CCF05032016_0005 (2)_020    |
| 261   | BENI_CCF05032016 (2)_033         |
| 271   | BENI_CCF05032016 (2)_039         |
| 281   | BENI_CCF05032016_0005 (2)_137    |
| 291   | BENI_CCF05032016_0003 (2)_040    |
| 301   | BENI_CCF05032016_0003 (2)_055    |
| 311   | BENI_CCF05032016_0006 (2)_018    |
| 321   | BENI_CCF05032016_0005 (2)_296    |
| 331   | BENI_CCF05032016_0005 (2)_163    |
| 341   | BENI_SUITE2_CCF08032016_0006_035 |
| 351   | BENI_CCF05032016_0010_002        |
| 361   | BENI_CCF05032016_0001 (2)_102    |
| 371   | BENI_CCF05032016_0002 (2)_042    |
| 381   | BENI_CCF05032016_0001 (2)_123    |
| 391   | BENI_CCF05032016_0001 (2)_155    |
| 401   | BENI_CCF05032016_0004 (2)_035    |
| 411   | BENI_CCF05032016 (2)_014         |
| 421   | BENI_CCF05032016_0001 (2)_149    |
| 431   | BENI_CCF05032016 (2)_006         |
| 441   | BENI_CCF05032016_0001 (2)_157    |

**Entries Sampled from Annex 1.7.A (*Evaluation fuite Butembo*)**

| <b>Entry</b> | <b>Referenced File</b>       |
|--------------|------------------------------|
| 1            | BUTEMBO_CCF04032016_0007_007 |
| 11           | BUTEMBO_CCF04032016_0022_007 |
| 21           | BUTEMBO_CCF04032016_0009_018 |
| 31           | BUTEMBO_CCF04032016_0022_013 |
| 41           | BUTEMBO_CCF04032016_0012_005 |
| 51           | BUTEMBO_CCF04032016_0015_006 |
| 61           | BUTEMBO_CCF04032016_0001_011 |
| 71           | BUTEMBO_CCF04032016_013      |
| 81           | BUTEMBO_CCF04032016_0001_029 |

**Entries Sampled from Annex 1.8.A (*Evaluation fuite Gemena*)**

| <b>Entry</b> | <b>Referenced File</b>      |
|--------------|-----------------------------|
| 1            | GEMENA_CCF05032016_0001_032 |
| 11           | GEMENA_CCF05032016_0001_006 |

**Entries Sampled from Annex 1.9.A (*Evaluation fuite Ituri*)**

| <b>Entry</b> | <b>Referenced File</b>                    |
|--------------|---|
| 1            | ITURI_SUITE4_CCF07032016_0007_128         |
| 11           | ITURI_SUITE_CCF05032016_0010_006          |
| 21           | ITURI_SUITE3_CCF07032016_0008_148 - COPIE |
| 31           | ITURI_SUITE_CCF05032016_0010_014          |
| 41           | ITURI_SUITE3_CCF07032016_0011_044         |



| Entry | Referenced File                           |
|-------|---|
| 51    | ITURI_SUITE_CCF05032016_0004 (2)_010      |
| 61    | ITURI_SUITE_CCF05032016_0004 (2)_008      |
| 71    | ITURI_SUITE_CCF05032016_0015 (3)_106      |
| 81    | ITURI_SUITE_CCF05032016_0018_029          |
| 91    | ITURI_SUITE3_CCF07032016_0008_144 - COPIE |
| 101   | ITURI_SUITE_CCF05032016_0008 (3)_004      |
| 111   | ITURI_SUITE1_CCF07032016_0002_042         |
| 121   | ITURI_SUITE_CCF05032016_0021_042          |
| 131   | GEMENA_CCF05032016_0001_002               |
| 141   | ITURI_SUITE1_CCF07032016_0002_114         |
| 151   | ITURI_SUITE3_CCF07032016_0011_025         |
| 161   | ITURI_SUITE1_CCF07032016_0002_056         |
| 171   | ITURI_SUITE3_CCF07032016_0003_005         |
| 181   | ITURI_SUITE4_CCF07032016_0007_160         |
| 191   | ITURI_SUITE_CCF05032016 (4)_020           |
| 201   | ITURI_SUITE_CCF05032016_0024_018          |
| 211   | ITURI_SUITE_CCF05032016_0015 (3)_018      |
| 221   | ITURI_SUITE4_CCF07032016_0007_004         |
| 231   | ITURI_SUITE1_CCF07032016_0002_106         |
| 241   | ITURI_SUITE_CCF04032016_0027_009          |
| 251   | ITURI_SUITE4_CCF07032016_0007_227         |
| 261   | ITURI_SUITE3_CCF07032016_0004_014         |
| 271   | ITURI_SUITE_CCF05032016_0027_020          |
| 281   | ITURI_SUITE1_CCF07032016_0002_100         |
| 291   | ITURI_SUITE_CCF04032016_0021_004          |
| 301   | ITURI_SUITE4_CCF07032016_0012_002         |

| Entry | Referenced File                           |
|-------|---|
| 311   | ITURI_SUITE_CCF05032016_0018_008          |
| 321   | ITURI_SUITE4_CCF07032016_0006_064         |
| 331   | ITURI_SUITE3_CCF07032016_0011_046         |
| 341   | ITURI_SUITE_CCF05032016_0034_031          |
| 351   | ITURI_SUITE3_CCF07032016_0008_045 - COPIE |
| 361   | ITURI_SUITE4_CCF07032016_0007_030         |
| 371   | ITURI_SUITE4_CCF07032016_0009_060         |
| 381   | ITURI_SUITE_CCF05032016_0034_019          |
| 391   | ITURI_SUITE_CCF05032016_0029_014          |
| 401   | ITURI_SUITE_CCF05032016_0001 (4)_006      |
| 411   | ITURI_SUITE_CCF05032016_0010 (2)_019      |
| 421   | ITURI_SUITE_CCF05032016_0027_034          |
| 431   | ITURI_SUITE4_CCF07032016_0007_198         |
| 441   | ITURI_SUITE_CCF05032016_0036_006          |
| 451   | ITURI_SUITE_CCF04032016_0025_040          |
| 461   | ITURI_SUITE_CCF05032016_0033_024          |
| 471   | ITURI_SUITE4_CCF07032016_0007_219         |
| 481   | ITURI_SUITE4_CCF07032016_0007_036         |
| 491   | ITURI_SUITE3_CCF07032016_0008_084 - COPIE |
| 501   | ITURI_SUITE_CCF05032016_0015 (3)_128      |
| 511   | ITURI_SUITE_CCF05032016_0002_017          |
| 521   | ITURI_SUITE4_CCF07032016_0002_002         |
| 531   | ITURI_SUITE4_CCF07032016_0007_211         |
| 541   | ITURI_SUITE_CCF04032016_0025_024          |
| 551   | ITURI_SUITE4_CCF07032016_0012_022         |
| 561   | ITURI_SUITE5_CCF07032016_0003_004         |

| Entry | Referenced File                           |
|-------|---|
| 571   | ITURI_SUITE3_CCF07032016_0006_011         |
| 581   | ITURI_SUITE4_CCF07032016_0011_060         |
| 591   | ITURI_SUITE_CCF04032016_0015_011          |
| 601   | ITURI_SUITE_CCF05032016_0004 (3)_002      |
| 611   | ITURI_SUITE4_CCF07032016_0005_008         |
| 621   | ITURI_SUITE_CCF05032016_0001 (4)_022      |
| 631   | ITURI_SUITE4_CCF07032016_0009_038         |
| 641   | ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| 651   | ITURI_SUITE1_CCF07032016_0002_070         |
| 661   | ITURI_SUITE3_CCF07032016_017              |
| 671   | ITURI_SUITE_CCF05032016_0021_038          |
| 681   | ITURI_SUITE1_CCF07032016_0002_104         |
| 691   | ITURI_SUITE_CCF05032016_0001 (3)_016      |
| 701   | ITURI_SUITE_CCF05032016_0033_006          |
| 711   | ITURI_SUITE_CCF05032016_0001 (3)_018      |
| 721   | ITURI_SUITE4_CCF07032016_0007_124         |
| 731   | ITURI_SUITE_CCF04032016_0030_010          |
| 741   | ITURI_SUITE3_CCF07032016_0008_056 - COPIE |
| 751   | ITURI_SUITE_CCF05032016_0015 (2)_016      |
| 761   | ITURI_SUITE_CCF05032016_0001 (4)_024      |
| 771   | ITURI_SUITE4_CCF07032016_0007_154         |
| 781   | ITURI_SUITE4_CCF07032016_0002_022         |
| 791   | ITURI_SUITE4_CCF07032016_0007_122         |
| 801   | ITURI_SUITE_CCF05032016_0019_006          |
| 811   | ITURI_SUITE4_CCF07032016_0001_010         |
| 821   | ITURI_SUITE4_CCF07032016_0004_086         |

| <b>Entry</b> | <b>Referenced File</b>                    |
|--------------|---|
| 831          | ITURI_SUITE4_CCF07032016_0012_014         |
| 841          | ITURI_SUITE_CCF04032016_0025_032          |
| 851          | ITURI_SUITE1_CCF07032016_018              |
| 861          | ITURI_SUITE1_CCF07032016_024              |
| 871          | ITURI_SUITE4_CCF07032016_0011_016         |
| 881          | ITURI_SUITE1_CCF07032016_0002_123         |
| 891          | ITURI_SUITE4_CCF07032016_0007_132         |
| 901          | ITURI_SUITE_CCF05032016_0008 (3)_008      |
| 911          | ITURI_SUITE3_CCF07032016_0011_040         |
| 921          | ITURI_SUITE4_CCF07032016_0004_082         |
| 931          | ITURI_SUITE_CCF05032016_0002_003          |
| 941          | ITURI_SUITE3_CCF07032016_0008_086 - COPIE |
| 951          | ITURI_SUITE4_CCF07032016_0009_008         |
| 961          | ITURI_SUITE3_CCF07032016_0008_018 - COPIE |
| 971          | ITURI_SUITE_CCF05032016_0005 (2)_011      |
| 981          | ITURI_SUITE3_CCF07032016_0011_002         |
| 991          | ITURI_SUITE4_CCF07032016_0009_012         |
| 1001         | ITURI_SUITE_CCF05032016_0007 (2)_018      |
| 1011         | ITURI_SUITE3_CCF07032016_0008_065 - COPIE |
| 1021         | ITURI_SUITE3_CCF07032016_0012_004         |
| 1031         | ITURI_SUITE3_CCF07032016_0005_003         |

**Entries Sampled from Annex 1.10.A (*Evaluation fuite Kisangani*)**

| <b>Entry</b> | <b>Referenced File</b>                   |
|--------------|--|
| 1            | KISANGANI_SUITE_CCF05032016_0001 (2)_002 |

|     |   |
|-----|---|
| 11  | KISANGANI_SUITE1_CCF06032016_0019_030     |
| 21  | KISANGANI_SUITE1_CCF06032016_0011_190     |
| 31  | KISANGANI_SUITE1_CCF06032016_0015_012     |
| 41  | KISANGANI_SUITE1_CCF06032016_0011_260     |
| 51  | KISANGANI_SUITE1_CCF06032016_0011_028     |
| 61  | KISANGANI_SUITE_CCF05032016 (2)_257       |
| 71  | KISANGANI_SUITE_CCF05032016 (2)_297       |
| 81  | KISANGANI_SUITE_CCF05032016 (2)_293       |
| 91  | KISANGANI_SUITE1_CCF06032016_0011_196     |
| 101 | KISANGANI_SUITE1_CCF06032016_0011_270     |
| 111 | KISANGANI_SUITE1_CCF06032016 (2)_002      |
| 121 | KISANGANI_SUITE1_CCF06032016_0010_028     |
| 131 | KISANGANI_SUITE1_CCF06032016 (2)_028      |
| 141 | KISANGANI_SUITE1_CCF06032016_0017_006     |
| 151 | KISANGANI_SUITE1_CCF06032016_0011_268     |
| 161 | KISANGANI_SUITE1_CCF06032016_0014_064     |
| 171 | KISANGANI_SUITE_CCF05032016 (2)_177       |
| 181 | KISANGANI_SUITE1_CCF06032016_0011_012     |
| 191 | KISANGANI_SUITE1_CCF06032016_0009_072     |
| 201 | KISANGANI_SUITE_CCF05032016 (2)_273       |
| 211 | KISANGANI_SUITE1_CCF06032016_0007_060     |
| 221 | KISANGANI_SUITE_CCF05032016 (2)_181       |
| 231 | KISANGANI_SUITE1_CCF06032016_0011_212     |
| 241 | KISANGANI_SUITE1_CCF06032016_0009_028     |
| 251 | KISANGANI_SUITE_CCF05032016_0004 (2)_002  |
| 261 | KISANGANI_SUITE2_CCF06032016_0003 (2)_044 |
| 271 | KISANGANI_SUITE1_CCF06032016_0011_124     |

|     |                                       |
|-----|---------------------------------------|
| 281 | KISANGANI_SUITE1_CCF06032016_0011_108 |
| 291 | KISANGANI_SUITE2_CCF06032016_0005_038 |
| 301 | KISANGANI_SUITE1_CCF06032016_0011_180 |
| 311 | KISANGANI_SUITE1_CCF06032016_0008_002 |

### **APPENDIX 3: ENTRIES SAMPLED FROM VALUATION LISTS FOR PERSONAL INJURIES**

#### **Entries Sampled from Annex 1.6.B (*Evaluation lésions Beni*)**

Note that none of these entries referenced files. Uganda has determined which file corresponds to which entry for all entries except one of them (Entry 91).

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 1            | BENI_SUITE1_CCF07032016_0010_036      |
| 11           | BENI_CCF05032016_0006 (2)_183         |
| 21           | BENI_CCF05032016_0009_011             |
| 31           | BENI_SUITE2_CCF08032016_055           |
| 41           | BENI_CCF05032016_0007_026             |
| 51           | BENI_CCF05032016_0010_040             |
| 61           | BENI_SUITE1_CCF07032016_0010_044      |
| 71           | BENI_SUITE1_CCF07032016_0010_022      |
| 81           | COPIE DE ITURI_SUITE5_CCF07032016_036 |
| 91           | N/A                                   |
| 101          | BENI_CCF05032016_0005 (2)_085         |
| 111          | BENI_CCF05032016_0010_042             |
| 121          | BENI_CCF05032016_0005 (2)_235         |
| 131          | BENI_CCF05032016_0005 (2)_091         |

**Entries Sampled from Annex 1.7.B (*Evaluation lésions Butembo*)**

| <b>Entry</b> | <b>Referenced File</b>       |
|--------------|------------------------------|
| 1            | BUTEMBO_CCF04032016_0007_007 |
| 11           | BUTEMBO_CCF04032016_0022_004 |
| 21           | BUTEMBO_CCF04032016_0020_005 |
| 31           | BUTEMBO_CCF04032016_0022_002 |
| 41           | BUTEMBO_CCF04032016_0022_013 |
| 51           | BUTEMBO_CCF04032016_0007_030 |
| 61           | BUTEMBO_CCF04032016_0003_020 |
| 71           | BUTEMBO_CCF04032016_0002_002 |

**Entries Sampled from Annex 1.8.B (*Evaluation lésions Gemena*)**

| <b>Entry</b> | <b>Referenced File</b>      |
|--------------|-----------------------------|
| 1            | GEMENA_CCF05032016_0001_028 |

**Entries Sampled from Annex 1.9.B (*Evaluation lésions Ituri*)**

| <b>Entry</b> | <b>Referenced File</b>               |
|--------------|--------------------------------------|
| 1            | ITURI_SUITE_CCF05032016_0015 (3)_126 |
| 11           | ITURI_SUITE_CCF05032016_0011_002     |
| 21           | ITURI_SUITE_CCF05032016_0004 (2)_008 |
| 31           | ITURI_SUITE3_CCF07032016_0005_001    |
| 41           | ITURI_SUITE_CCF05032016_0021_022     |
| 51           | ITURI_SUITE_CCF05032016_0005 (4)_020 |
| 61           | ITURI_SUITE_CCF05032016_0026_019     |

| <b>Entry</b> | <b>Referenced File</b>               |
|--------------|--------------------------------------|
| 71           | ITURI_SUITE_CCF05032016_0024_020     |
| 81           | ITURI_SUITE_CCF05032016_0004 (2)_012 |
| 91           | ITURI_SUITE_CCF05032016_0023_031     |
| 101          | ITURI_SUITE_CCF05032016_0012 (3)_002 |
| 111          | ITURI_SUITE_CCF05032016_0009 (3)_034 |
| 121          | ITURI_SUITE1_CCF07032016_008         |
| 131          | ITURI_SUITE_CCF05032016_0009 (2)_029 |
| 141          | ITURI_SUITE_CCF05032016_0011_004     |

**Entries Sampled from Annex 1.10.B (*Evaluation lésions Kisangani*)**

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 1            | CCF22082016_0013_006                  |
| 11           | KISANGANI_SUITE1_CCF06032016_0007_042 |
| 21           | COPIE DE CCF22082016_0034_010         |
| 31           | KISANGANI_SUITE2_CCF06032016_0005_104 |
| 41           | CCF22082016_0006_014                  |
| 51           | CCF22082016_0050_006                  |
| 61           | CCF22082016_0071_003                  |
| 71           | CCF22082016_0042_006                  |
| 81           | CCF22082016_0008_008                  |
| 91           | KISANGANI_SUITE1_CCF06032016_0011_202 |
| 101          | KISANGANI_SUITE1_CCF06032016_0007_016 |
| 111          | CCF22082016_0048_022                  |
| 121          | CCF22082016_0005_012                  |
| 131          | KISANGANI_SUITE1_CCF06032016_0010_024 |



| Entry | Referenced File                          |
|-------|--|
| 141   | KISANGANI_SUITE1_CCF06032016_0011_104    |
| 151   | CCF22082016_0054_030                     |
| 161   | CCF22082016_0054_030                     |
| 171   | CCF22082016_0038_004                     |
| 181   | KISANGANI_SUITE1_CCF06032016_0009_038    |
| 191   | CCF22082016_0050_022                     |
| 201   | CCF22082016_0054_002                     |
| 211   | CCF22082016_0036_008                     |
| 221   | CCF22082016_0013_012                     |
| 231   | CCF22082016_0004_012                     |
| 241   | CCF22082016_0022_006                     |
| 251   | CCF22082016_010                          |
| 261   | CCF22082016_0004_016                     |
| 271   | CCF22082016_0054_032                     |
| 281   | CCF22082016_0105_010                     |
| 291   | CCF22082016_0026_012                     |
| 301   | CCF22082016_0086_006                     |
| 311   | CCF22082016_0098_005                     |
| 321   | CCF22082016_0042_004                     |
| 331   | CCF22082016_0036_002                     |
| 341   | KISANGANI_SUITE1_CCF06032016_0011_240    |
| 351   | KISANGANI_SUITE2_CCF06032016_0005_168    |
| 361   | KISANGANI_SUITE_CCF05032016 (2)_169      |
| 371   | KISANGANI_SUITE_CCF05032016_0002 (2)_025 |
| 381   | KISANGANI_SUITE1_CCF06032016_0011_106    |
| 391   | CCF22082016_0015_004                     |

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 401          | CCF22082016_0051_006                  |
| 411          | CCF22082016_0048_030                  |
| 421          | KISANGANI_SUITE1_CCF06032016_0011_332 |

**APPENDIX 4: ENTRIES SAMPLED FROM VALUATION LISTS FOR  
PROPERTY LOSS OR DAMAGE**

Entries Sampled from Annex 1.6.C (*Evaluation pertes biens Beni*)

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 1            | BENI_SUITE2_CCF08032016_0001_079      |
| 11           | BENI_CCF05032016_0002_069             |
| 21           | BENI_CCF05032016_0001_025             |
| 31           | KISANGANI_SUITE1_CCF06032016_001&_004 |
| 41           | BENI_CCF05032016_0005 (2)_036         |
| 51           | BENI_CCF05032016_0001 (2)_172         |
| 61           | BENI_SUITE2_CCF08032016_0007_055      |
| 71           | BENI_CCF05032016_0002 (2)_040         |
| 81           | BENI_CCF05032016_0006 (2)_060         |
| 91           | BENI_CCF05032016_0002 (2)_003         |
| 101          | BENI_CCF05032016_0006 (2)_007         |
| 111          | BENI_CCF05032016_0001 (2)_125         |
| 121          | BENI_CCF05032016_0005 (2)_069         |
| 131          | BENI_SUITE2_CCF08032016_0005_039      |
| 141          | BENI_CCF05032016_0006 (2)_048         |
| 151          | BENI_CCF05032016_0001 (2)_024         |
| 161          | BENI_CCF05032016_0001 (2)_151         |

| Entry | Referenced File                  |
|-------|----------------------------------|
| 171   | BENI_CCF05032016_0005 (2)_312    |
| 181   | BENI_CCF05032016_0006 (2)_189    |
| 191   | BENI_SUITE2_CCF08032016_0004_096 |
| 201   | BENI_SUITE2_CCF08032016_0004_085 |
| 211   | BENI_CCF05032016_0002 (2)_009    |
| 221   | BENI_CCF05032016_0006 (2)_100    |
| 231   | BENI_SUITE1_CCF07032016_0010_058 |
| 241   | BENI_CCF05032016_0005 (2)_085    |
| 251   | BENI_CCF05032016_0005 (2)_321    |
| 261   | BENI_SUITE2_CCF08032016_059      |
| 271   | BENI_CCF05032016_0006 (2)_233    |
| 281   | BENI_CCF05032016_0006 (2)_164    |
| 291   | BENI_CCF05032016_0003 (2)_037    |
| 301   | BENI_CCF05032016_0005 (2)_201    |
| 311   | BENI_CCF05032016_0001 (2)_018    |
| 321   | BENI_CCF05032016_0006 (2)_251    |
| 331   | BENI_CCF05032016_0007_002        |
| 341   | BENI_CCF05032016_0006 (2)_229    |
| 351   | BENI_CCF05032016_0008_028        |
| 361   | BENI_CCF05032016_0005 (2)_304    |
| 371   | BENI_CCF05032016_0008_002        |
| 381   | BENI_CCF05032016_0005 (2)_203    |
| 391   | BENI_CCF05032016_0002 (2)_024    |
| 401   | BENI_CCF05032016_0005 (2)_077    |
| 411   | BENI_CCF05032016_0001 (2)_010    |
| 421   | BENI_CCF05032016_0005 (2)_018    |

| Entry | Referenced File                  |
|-------|----------------------------------|
| 431   | BENI_CCF05032016_0001 (2)_173    |
| 441   | BENI_CCF05032016_0006 (2)_022    |
| 451   | BENI_SUITE1_CCF07032016_0009_010 |
| 461   | BENI_CCF05032016_0001 (2)_168    |
| 471   | BENI_CCF05032016_0004 (2)_016    |
| 481   | BENI_SUITE2_CCF08032016_0007_018 |
| 491   | BENI_CCF05032016_0005 (2)_310    |
| 501   | BENI_CCF05032016_0006 (2)_058    |
| 511   | BENI_SUITE2_CCF08032016_0007_079 |
| 521   | BENI_CCF05032016_0006 (2)_106    |
| 531   | BENI_SUITE2_CCF08032016_0005_076 |
| 541   | BENI_CCF05032016_0006 (2)_141    |
| 551   | BENI_SUITE2_CCF08032016_0007_074 |
| 561   | BENI_SUITE1_CCF07032016_0010_046 |
| 571   | BENI_CCF05032016_0006 (2)_221    |
| 581   | BENI_SUITE2_CCF08032016_0004_034 |
| 591   | BENI_CCF05032016_0010_032        |
| 601   | BENI_CCF05032016_0008_014        |
| 611   | BENI_SUITE2_CCF08032016_0005_096 |
| 621   | BENI_CCF05032016_0005 (2)_052    |
| 631   | BENI_CCF05032016 (2)_020         |
| 641   | BENI_CCF05032016_0001 (2)_097    |
| 651   | BENI_CCF05032016_0005 (2)_271    |
| 661   | BENI_CCF05032016 (2)_008         |
| 671   | BENI_CCF05032016 (2)_045         |
| 681   | BENI_CCF05032016 (2)_043         |

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 691          | BENI_CCF05032016_0008_006             |
| 701          | BENI_SUITE2_CCF08032016_0007_085      |
| 711          | BENI_CCF05032016_0006 (2)_122         |
| 721          | BENI_CCF05032016_0009_021             |
| 731          | BENI_CCF05032016_0004 (2)_035         |
| 741          | BENI_CCF05032016_0006 (2)_149         |
| 751          | BENI_CCF05032016 (2)_014              |
| 761          | BENI_CCF05032016_0009_023             |
| 771          | BENI_CCF05032016_0006 (2)_104         |
| 781          | BENI_SUITE2_CCF08032016_0005_040      |
| 791          | BENI_CCF05032016_0006 (2)_165         |
| 801          | BENI_CCF05032016_0002 (2)_052         |
| 811          | BENI_CCF05032016_0005 (2)_255         |
| 821          | BENI_SUITE1_CCF07032016_0010_068      |
| 831          | KISANGANI_SUITE1_CCF06032016_0011_002 |

**Entries Sampled from Annex 1.7.C (*Evaluation pertes biens Butembo*)**

| <b>Entry</b> | <b>Referenced File</b>       |
|--------------|------------------------------|
| 1            | BUTEMBO_CCF04032016_0014_022 |
| 11           | BUTEMBO_CCF04032016_0008_025 |
| 21           | BUTEMBO_CCF04032016_0007_029 |
| 31           | BUTEMBO_CCF04032016_004      |
| 41           | BUTEMBO_CCF04032016_0019_006 |
| 51           | BUTEMBO_CCF04032016_0004_009 |
| 61           | BUTEMBO_CCF04032016_0010_002 |

| <b>Entry</b> | <b>Referenced File</b>       |
|--------------|------------------------------|
| 71           | BUTEMBO_CCF04032016_0020_007 |
| 81           | BUTEMBO_CCF04032016_007      |
| 91           | BUTEMBO_CCF04032016_0006_017 |
| 101          | BUTEMBO_CCF04032016_0007_007 |
| 111          | BUTEMBO_CCF04032016_0001_011 |
| 121          | BUTEMBO_CCF04032016_0007_028 |
| 131          | BUTEMBO_CCF04032016_0020_011 |
| 141          | BUTEMBO_CCF04032016_0022_002 |
| 151          | BUTEMBO_CCF04032016_0001_006 |
| 161          | BUTEMBO_CCF04032016_0006_008 |
| 171          | BUTEMBO_CCF04032016_0012_003 |
| 181          | BUTEMBO_CCF04032016_0008_011 |
| 191          | BUTEMBO_CCF04032016_0008_010 |
| 201          | BUTEMBO_CCF04032016_0001_015 |
| 211          | BUTEMBO_CCF04032016_0009_016 |
| 221          | BUTEMBO_CCF04032016_0009_014 |

**Entries Sampled from Annex 1.8.C (*Evaluation pertes biens Gemena*)**

| <b>Entry</b> | <b>Referenced File</b>      |
|--------------|-----------------------------|
| 1            | GEMENA_CCF05032016_0001_026 |
| 11           | GEMENA_CCF05032016_0001_034 |

**Entries Sampled from Annex 1.9.C (*Evaluation pertes biens Ituri*)**

| Entry | Referenced File                           |
|-------|---|
| 1     | ITURI_SUITE_CCF04032016_0036_005          |
| 11    | ITURI_SUITE7_CCF08032016_0001_005         |
| 21    | ITURI_SUITE3_CCF07032016_0011_015         |
| 31    | ITURI_SUITE_CCF05032016_0006 (2)_010      |
| 41    | ITURI_SUITE3_CCF07032016_0011_021         |
| 51    | ITURI_SUITE_CCF05032016_0003 (2)_002      |
| 61    | COPIE DE ITURI_SUITE5_CCF07032016_032     |
| 71    | COPIE DE ITURI_SUITE5_CCF07032016_021     |
| 81    | ITURI_SUITE3_CCF07032016_0006_037         |
| 91    | ITURI_SUITE1_CCF07032016_0002_028         |
| 101   | ITURI_SUITE_CCF04032016_0013_026          |
| 111   | ITURI_SUITE_CCF05032016_0021_042          |
| 121   | ITURI_SUITE7_CCF08032016_004              |
| 131   | ITURI_SUITE_CCF05032016_0002 (4)_002      |
| 141   | ITURI_SUITE1_CCF07032016_0002_068         |
| 151   | ITURI_SUITE_CCF04032016_0027_026          |
| 161   | ITURI_SUITE_CCF05032016_0026_025          |
| 171   | ITURI_SUITE3_CCF07032016_0008_133 - COPIE |
| 181   | ITURI_SUITE1_CCF07032016_0002_056         |
| 191   | ITURI_SUITE_CCF05032016_0010_006          |
| 201   | ITURI_SUITE_CCF05032016_0015 (3)_170      |
| 211   | ITURI_SUITE_CCF05032016_0027_030          |
| 221   | ITURI_SUITE_CCF04032016_0059_024          |
| 231   | ITURI_SUITE_CCF04032016_0059_016          |
| 241   | ITURI_SUITE_CCF04032016_0054_033          |
| 251   | ITURI_SUITE_CCF05032016_0031_022          |

| Entry | Referenced File                              |
|-------|--|
| 261   | ITURI_SUITE_CCF04032016_0023_008             |
| 271   | ITURI_SUITE_CCF05032016_0003 (2)_014         |
| 281   | ITURI_SUITE_CCF04032016_0035_011             |
| 291   | ITURI_SUITE_CCF05032016_0007 (2)_012         |
| 301   | ITURI_SUITE_CCF04032016_0030_011             |
| 311   | ITURI_SUITE1_CCF07032016_0002_074            |
| 321   | ITURI_SUITE_CCF04032016_0059_008             |
| 331   | ITURI_SUITE_CCF04032016_0057_006             |
| 341   | ITURI_SUITE3_CCF07032016_0008_009 - COPIE    |
| 351   | ITURI_SUITE_CCF04032016_0055_001             |
| 361   | ITURI_SUITE_CCF04032016_0055_001             |
| 371   | ITURI_SUITE_CCF05032016_0011 (2)_043         |
| 381   | ITURI_SUITE_CCF05032016_0009 (2)_079         |
| 391   | ITURI_SUITE_CCF04032016_0055_009             |
| 401   | ITURI_SUITE_CCF04032016_0057_002             |
| 411   | ITURI_SUITE_CCF05032016_0025_008             |
| 421   | ITURI_SUITE1_CCF07032016_0001_008            |
| 431   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0007_010 |
| 441   | ITURI_SUITE1_CCF07032016_0002_016            |
| 451   | ITURI_SUITE_CCF05032016_0007 (3)_010         |
| 461   | ITURI_SUITE_CCF04032016_0015_015             |
| 471   | ITURI_SUITE_CCF04032016_0025_020             |
| 481   | ITURI_SUITE_CCF04032016_0032_007             |
| 491   | ITURI_SUITE_CCF05032016_0028_004             |
| 501   | ITURI_SUITE_CCF05032016_0009 (3)_010         |
| 511   | ITURI_SUITE_CCF05032016_0015 (3)_205         |



| Entry | Referenced File                              |
|-------|--|
| 521   | ITURI_SUITE_CCF05032016_0011 (2)_008         |
| 531   | ITURI_SUITE1_CCF07032016_043                 |
| 541   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_015 |
| 551   | COPIE DE ITURI_SUITE5_CCF07032016_019        |
| 561   | ITURI_SUITE_CCF05032016_0036_034             |
| 571   | ITURI_SUITE_CCF04032016_0052_002             |
| 581   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0010_017 |
| 591   | ITURI_SUITE_CCF05032016_0008 (2)_022         |
| 601   | ITURI_SUITE_CCF05032016_0007 (4)_010         |
| 611   | ITURI_SUITE_CCF05032016_0007 (3)_024         |
| 621   | ITURI_SUITE_CCF05032016_0005 (2)_023         |
| 631   | ITURI_SUITE_CCF05032016_0005 (2)_025         |
| 641   | ITURI_SUITE3_CCF07032016_0008_006 - COPIE    |
| 651   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0004_004 |
| 661   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0002_015 |
| 671   | ITURI_SUITE_CCF05032016_0009 (2)_016         |
| 681   | ITURI_SUITE1_CCF07032016_0002_121            |
| 691   | ITURI_SUITE3_CCF07032016_0004_023            |
| 701   | ITURI_SUITE_CCF05032016_0009 (2)_073         |
| 711   | ITURI_SUITE1_CCF07032016_0002_002            |
| 721   | ITURI_SUITE_CCF05032016_0010_010             |
| 731   | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_004 |
| 741   | ITURI_SUITE1_CCF07032016_0002_116            |
| 751   | ITURI_SUITE_CCF05032016_0004 (3)_009         |
| 761   | ITURI_SUITE_CCF05032016_0015 (3)_180         |
| 771   | ITURI_SUITE3_CCF07032016_0006_035            |

| Entry | Referenced File                      |
|-------|--------------------------------------|
| 781   | ITURI_SUITE_CCF05032016_0007 (4)_006 |
| 791   | ITURI_SUITE_CCF05032016_0033_018     |
| 801   | ITURI_SUITE_CCF05032016_0015 (3)_008 |
| 811   | ITURI_SUITE_CCF04032016_0034_008     |
| 821   | ITURI_SUITE_CCF04032016_0033_012     |
| 831   | ITURI_SUITE_CCF04032016_0028_004     |
| 841   | ITURI_SUITE4_CCF07032016_0001_014    |
| 851   | ITURI_SUITE_CCF04032016_0035_004     |
| 861   | ITURI_SUITE_CCF05032016_0014 (2)_002 |
| 871   | ITURI_SUITE_CCF05032016_0021_040     |
| 881   | ITURI_SUITE_CCF05032016_0002 (3)_002 |
| 891   | ITURI_SUITE_CCF04032016_0034_010     |
| 901   | ITURI_SUITE_CCF05032016_0024_022     |
| 911   | ITURI_SUITE1_CCF07032016_014         |
| 921   | ITURI_SUITE1_CCF07032016_0002_002    |
| 931   | ITURI_SUITE_CCF05032016_0023_029     |
| 941   | ITURI_SUITE3_CCF07032016_0006_032    |
| 951   | ITURI_SUITE_CCF05032016_0008 (3)_024 |
| 961   | ITURI_SUITE1_CCF07032016_0002_102    |
| 971   | ITURI_SUITE1_CCF07032016_0002_104    |
| 981   | ITURI_SUITE_CCF05032016_0033_002     |
| 991   | ITURI_SUITE_CCF05032016_0014 (2)_006 |
| 1001  | ITURI_SUITE_CCF04032016_0050_011     |
| 1011  | ITURI_SUITE_CCF05032016_0007 (3)_042 |
| 1021  | ITURI_SUITE3_CCF07032016_011         |
| 1031  | ITURI_SUITE_CCF04032016_0032_003     |

| <b>Entry</b> | <b>Referenced File</b>                       |
|--------------|--|
| 1041         | ITURI_SUITE_CCF04032016_0034_030             |
| 1051         | ITURI_SUITE_CCF05032016_0009 (2)_035         |
| 1061         | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_006 |
| 1071         | ITURI_SUITE_CCF05032016_0009 (2)_041         |
| 1081         | ITURI_SUITE_CCF04032016_0054_029             |
| 1091         | ITURI_SUITE1_CCF07032016_012                 |
| 1101         | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0002_010 |
| 1111         | ITURI_SUITE_CCF05032016_0030_012             |
| 1121         | ITURI_SUITE3_CCF07032016_0008_093 - COPIE    |
| 1131         | ITURI_SUITE_CCF05032016_0026_005             |
| 1141         | ITURI_SUITE_CCF05032016_0031_016             |
| 1151         | ITURI_SUITE_CCF05032016_0014_015             |
| 1161         | ITURI_SUITE_CCF05032016_0006 (2)_007         |
| 1171         | STE_&_ETS_PRIVES_ITURIS_CCF04032016_0011_004 |
| 1181         | ITURI_SUITE1_CCF07032016_022                 |
| 1191         | ITURI_SUITE_CCF05032016_0030_008             |
| 1201         | ITURI_SUITE_CCF04032016_0021_006             |
| 1211         | ITURI_SUITE3_CCF07032016_0003_015            |
| 1221         | ITURI_SUITE3_CCF07032016_0008_138 - COPIE    |
| 1231         | ITURI_SUITE_CCF04032016_0015_002             |
| 1241         | ITURI_SUITE_CCF05032016_0005 (3)_008         |
| 1251         | ITURI_SUITE1_CCF07032016_0002_123            |
| 1261         | ITURI_SUITE_CCF05032016_0015 (3)_004         |
| 1271         | ITURI_SUITE3_CCF07032016_0008_101 - COPIE    |
| 1281         | ITURI_SUITE_CCF04032016_0050_015             |
| 1291         | ITURI_SUITE_CCF05032016_0009 (3)_034         |

| <b>Entry</b> | <b>Referenced File</b>               |
|--------------|--------------------------------------|
| 1301         | ITURI_SUITE_CCF05032016_0007 (3)_038 |
| 1311         | ITURI_SUITE_CCF05032016_0003 (2)_017 |

**Entries Sampled from Annex 1.10.C (*Evaluation pertes biens Kisangani*)**

| <b>Entry</b> | <b>Referenced File</b>                       |
|--------------|--|
| 1            | CCF22082016_0006_010                         |
| 11           | KISANGANI_SUITE1_CCF06032016_0011_006        |
| 21           | CCF22082016_0051_016                         |
| 31           | CCF22082016_0026_014                         |
| 41           | CCF22082016_0017_014                         |
| 51           | CCF22082016_0015_016                         |
| 61           | CCF22082016_0015_030                         |
| 71           | COPIE DE CCF22082016_0036_002                |
| 81           | KISANGANI_SUITE_CCF05032016_0004 (2)_006     |
| 91           | CCF22082016_0042_008                         |
| 101          | CCF22082016_0029_006                         |
| 111          | CCF22082016_0006_004                         |
| 121          | CCF22082016_0050_026                         |
| 131          | COPIE DE CCF22082016_0034_010                |
| 141          | KISANGANI_SUITE1_CCF06032016_0006_004        |
| 151          | COPIE (2) DE KISANGANI_SUITE_CCF05032016_062 |
| 161          | CCF22082016_0016_002                         |
| 171          | CCF22082016_0005_020                         |
| 181          | CCF22082016_0016_004                         |
| 191          | CCF22082016_0048_020                         |

| Entry | Referenced File                          |
|-------|--|
| 201   | CCF22082016_0001_012                     |
| 211   | CCF22082016_0048_032                     |
| 221   | KISANGANI_SUITE1_CCF06032016_0014_008    |
| 231   | CCF22082016_0026_012                     |
| 241   | CCF22082016_0005_018                     |
| 251   | CCF22082016_0034_012                     |
| 261   | CCF22082016_0041_006                     |
| 271   | CCF22082016_0031_002                     |
| 281   | KISANGANI_SUITE1_CCF06032016_0009_050    |
| 291   | CCF22082016_0022_008                     |
| 301   | CCF22082016_0037_012                     |
| 311   | CCF22082016_0042_014                     |
| 321   | CCF22082016_0018_004                     |
| 331   | KISANGANI_SUITE1_CCF06032016_0011_034    |
| 341   | KISANGANI_SUITE1_CCF06032016_0009_080    |
| 351   | CCF22082016_0061_005                     |
| 361   | KISANGANI_SUITE1_CCF06032016_0004_032    |
| 371   | CCF22082016_0030_008                     |
| 381   | CCF22082016_0008_004                     |
| 391   | CCF22082016_0001_008                     |
| 401   | KISANGANI_SUITE1_CCF06032016_0014_036    |
| 411   | CCF21082016_0006_006                     |
| 421   | CCF21082016_0006_024                     |
| 431   | KISANGANI_SUITE1_CCF06032016_0009_002    |
| 441   | KISANGANI_SUITE_CCF05032016_0003 (2)_004 |
| 451   | COPIE DE CCF22082016_0033_012            |

| Entry | Referenced File                       |
|-------|---------------------------------------|
| 461   | KISANGANI_SUITE_CCF05032016 (2)_165   |
| 471   | CCF22082016_0008_008                  |
| 481   | KISANGANI_SUITE1_CCF06032016_0009_018 |
| 491   | CCF22082016_0042_020                  |
| 501   | CCF22082016_0046_010                  |
| 511   | CCF22082016_0033_008                  |
| 521   | CCF22082016_0054_006                  |
| 531   | CCF21082016_0006_028                  |
| 541   | CCF22082016_0045_002                  |
| 551   | CCF22082016_0016_002                  |
| 561   | CCF22082016_0004_016                  |
| 571   | CCF22082016_0006_006                  |
| 581   | CCF21082016_0005_002                  |
| 591   | CCF22082016_0051_022                  |
| 601   | CCF22082016_0050_006                  |
| 611   | OUGANDA 34                            |
| 621   | CCF22082016_0004_012                  |
| 631   | OUGANDA 34                            |
| 641   | CCF22082016_0034_002                  |
| 651   | BENI_CCF05032016_008                  |
| 661   | KISANGANI_SUITE1_CCF06032016_0011_046 |
| 671   | CCF22082016_0042_010                  |
| 681   | CCF21082016_0002_006                  |
| 691   | CCF21082016_0003_014                  |
| 701   | CCF22082016_0050_012                  |
| 711   | CCF22082016_0004_018                  |

| Entry | Referenced File                              |
|-------|--|
| 721   | CCF22082016_0041_004                         |
| 731   | CCF22082016_0048_026                         |
| 741   | CCF22082016_0029_026                         |
| 751   | KISANGANI_SUITE1_CCF06032016 (2)_002         |
| 761   | CCF22082016_0022_010                         |
| 771   | CCF22082016_0050_026                         |
| 781   | CCF22082016_0005_012                         |
| 791   | CCF22082016_0045_002                         |
| 801   | KISANGANI_SUITE_CCF05032016_0003 (2)_076     |
| 811   | CCF22082016_0019_002                         |
| 821   | COPIE DE KISANGANI_SUITE_CCF05032016_064     |
| 831   | CCF22082016_0042_020                         |
| 841   | CCF21082016_0004_004                         |
| 851   | CCF21082016_0006_016                         |
| 861   | CCF22082016_0018_016                         |
| 871   | KISANGANI_SUITE1_CCF06032016_0014_002        |
| 881   | CCF22082016_0042_026                         |
| 891   | CCF22082016_0026_008                         |
| 901   | CCF22082016_0010_002                         |
| 911   | CCF22082016_0056_002                         |
| 921   | COPIE DE KISANGANI_SUITE_CCF05032016_058     |
| 931   | KISANGANI_SUITE1_CCF06032016_0011_026        |
| 941   | COPIE (3) DE KISANGANI_SUITE_CCF05032016_026 |
| 951   | CCF21082016_0007_004                         |
| 961   | KISANGANI_SUITE_CCF05032016_0002 (2)_051     |
| 971   | KISANGANI_SUITE2_CCF06032016_0007_064        |

| Entry | Referenced File                              |
|-------|--|
| 981   | CCF22082016_0051_002                         |
| 991   | CCF22082016_0020_004                         |
| 1001  | CCF21082016_0004_016                         |
| 1011  | KISANGANI_SUITE_CCF05032016 (2)_207          |
| 1021  | CCF22082016_0119_004                         |
| 1031  | KISANGANI_SUITE_CCF05032016_0001 (2)_029     |
| 1041  | COPIE DE KISANGANI_SUITE_CCF05032016_026     |
| 1051  | CCF22082016_0054_028                         |
| 1061  | CCF22082016_0057_004                         |
| 1071  | KISANGANI_SUITE1_CCF06032016_0009_020        |
| 1081  | CCF22082016_0016_006                         |
| 1091  | KISANGANI_SUITE1_CCF06032016_0014_044        |
| 1101  | CCF22082016_0009_004                         |
| 1111  | COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| 1121  | KISANGANI_SUITE_CCF05032016_0002 (2)_015     |
| 1131  | KISANGANI_SUITE_CCF05032016_064              |
| 1141  | CCF22082016_0017_002                         |
| 1151  | CCF22082016_0013_014                         |
| 1161  | CCF22082016_0013_006                         |
| 1171  | CCF22082016_0013_004                         |
| 1181  | CCF22082016_0030_010                         |
| 1191  | CCF22082016_0017_010                         |
| 1201  | CCF22082016_0034_002                         |
| 1211  | OUGANDA 32                                   |
| 1221  | CCF22082016_0050_030                         |
| 1231  | CCF22082016_0012_024                         |



| Entry | Referenced File                          |
|-------|--|
| 1241  | CCF22082016_0004_018                     |
| 1251  | CCF22082016_0005_024                     |
| 1261  | CCF22082016_0054_016                     |
| 1271  | CCF22082016_0051_018                     |
| 1281  | CCF22082016_0007_002                     |
| 1291  | CCF22082016_0047_008                     |
| 1301  | CCF22082016_0015_002                     |
| 1311  | CCF22082016_0013_008                     |
| 1321  | CCF22082016_0021_008                     |
| 1331  | COPIE DE CCF22082016_0034_014            |
| 1341  | KISANGANI_SUITE1_CCF06032016_0011_164    |
| 1351  | CCF22082016_0005_012                     |
| 1361  | CCF21082016_0002_014                     |
| 1371  | CCF22082016_0036_008                     |
| 1381  | KISANGANI_SUITE1_CCF06032016_0015_002    |
| 1391  | KISANGANI_SUITE_CCF05032016_0002 (2)_002 |
| 1401  | KISANGANI_SUITE2_CCF06032016_036         |
| 1411  | KISANGANI_SUITE2_CCF06032016_008         |
| 1421  | CCF22082016_0032_004                     |
| 1431  | KISANGANI_SUITE1_CCF06032016_0014_056    |
| 1441  | KISANGANI_SUITE2_CCF06032016_038         |
| 1451  | KISANGANI_SUITE1_CCF06032016_0005_026    |
| 1461  | CCF22082016_0001_012                     |
| 1471  | CCF22082016_0027_006                     |
| 1481  | CCF22082016_0009_006                     |
| 1491  | CCF22082016_0048_024                     |

| Entry | Referenced File                           |
|-------|---|
| 1501  | CCF22082016_0019_002                      |
| 1511  | KISANGANI_SUITE1_CCF06032016_0014_062     |
| 1521  | KISANGANI_SUITE1_CCF06032016_0011_328     |
| 1531  | CCF22082016_0006_008                      |
| 1541  | CCF22082016_0015_018                      |
| 1551  | CCF22082016_0026_016                      |
| 1561  | KISANGANI_SUITE1_CCF06032016_0011_220     |
| 1571  | CCF22082016_0001_006                      |
| 1581  | KISANGANI_SUITE1_CCF06032016_0012_008     |
| 1591  | KISANGANI_SUITE2_CCF06032016_048          |
| 1601  | CCF21082016_0004_004                      |
| 1611  | CCF22082016_0036_006                      |
| 1621  | KISANGANI_SUITE2_CCF06032016_0003 (2)_010 |
| 1631  | CCF22082016_0021_002                      |
| 1641  | CCF2208016_0037_002                       |
| 1651  | KISANGANI_SUITE1_CCF06032016_0011_182     |
| 1661  | CCF22082016_0007_006                      |
| 1671  | CCF22082016_0018_004                      |
| 1681  | CCF22082016_0101_004                      |
| 1691  | CCF22082016_0036_006                      |
| 1701  | CCF22082016_0097_003                      |
| 1711  | CCF22082016_0014_014                      |
| 1721  | CCF22082016_0004_018                      |
| 1731  | CCF22082016_0019_008                      |
| 1741  | CCF22082016_0051_026                      |
| 1751  | KISANGANI_SUITE_CCF05032016_0003 (2)_110  |

| Entry | Referenced File                          |
|-------|--|
| 1761  | KISANGANI_SUITE_CCF05032016_0002 (2)_011 |
| 1771  | CCF22082016_0009_004                     |
| 1781  | CCF22082016_0015_004                     |
| 1791  | CCF22082016_0056_010                     |
| 1801  | CCF22082016_0092_006                     |
| 1811  | COPIE DE KISANGANI_SUITE_CCF05032016_053 |
| 1821  | CCF21082016_0004_006                     |
| 1831  | CCF22082016_0026_008                     |
| 1841  | KISANGANI_SUITE1_CCF06032016_0001_031    |
| 1851  | KISANGANI_SUITE1_CCF06032016_0011_294    |
| 1861  | CCF22082016_0041_004                     |
| 1871  | KISANGANI_SUITE1_CCF06032016_0009_028    |
| 1881  | CCF22082016_0015_020                     |
| 1891  | CCF21082016_0006_020                     |
| 1901  | CCF22082016_0054_028                     |
| 1911  | CCF22082016_0034_014                     |
| 1921  | CCF22082016_0007_012                     |
| 1931  | CCF21082016_0006_014                     |
| 1941  | CCF21082016_0002_012                     |
| 1951  | CCF22082016_0051_026                     |
| 1961  | KISANGANI_SUITE_CCF05032016 (2)_231      |
| 1971  | CCF22082016_0019_008                     |
| 1981  | CCF22082016_0034_016                     |
| 1991  | CCF22082016_0055_010                     |
| 2001  | CCF22082016_0006_018                     |
| 2011  | CCF22082016_0007_008                     |

| Entry | Referenced File                          |
|-------|--|
| 2021  | CCF22082016_0005_004                     |
| 2031  | CCF22082016_0050_002                     |
| 2041  | CCF22082016_0042_024                     |
| 2051  | CCF22082016_0005_008                     |
| 2061  | CCF22082016_0021_004                     |
| 2071  | CCF22082016_0050_012                     |
| 2081  | CCF22082016_0010_002                     |
| 2091  | CCF22082016_0048_030                     |
| 2101  | CCF22082016_0037_012                     |
| 2111  | KISANGANI_SUITE2_CCF06032016_026         |
| 2121  | CCF22082016_0054_008                     |
| 2131  | CCF22082016_0050_024                     |
| 2141  | CCF22082016_0029_008                     |
| 2151  | CCF21082016_0001_002                     |
| 2161  | CCF22082016_0044_002                     |
| 2171  | KISANGANI_SUITE1_CCF06032016_0006_002    |
| 2181  | CCF21082016_0001_008                     |
| 2191  | CCF22082016_0054_026                     |
| 2201  | CCF22082016_0015_002                     |
| 2211  | CCF22082016_0054_016                     |
| 2221  | CCF22082016_0050_030                     |
| 2231  | CCF22082016_0057_004                     |
| 2241  | CCF22082016_0110_008                     |
| 2251  | KISANGANI_SUITE1_CCF06032016_0012_014    |
| 2261  | CCF22082016_0029_016                     |
| 2271  | COPIE DE KISANGANI_SUITE_CCF05032016_051 |

| <b>Entry</b> | <b>Referenced File</b>                |
|--------------|---------------------------------------|
| 2281         | CCF21082016_0006_016                  |
| 2291         | CCF22082016_0019_006                  |
| 2301         | CCF22082016_0042_008                  |
| 2311         | CCF22082016_0033_012                  |
| 2321         | CCF22082016_0058_003                  |
| 2331         | CCF22082016_0022_010                  |
| 2341         | COPIE DE CCF22082016_0033_012         |
| 2351         | CCF22082016_0050_006                  |
| 2361         | KISANGANI_SUITE1_CCF06032016_0011_180 |
| 2371         | CCF22082016_0054_026                  |
| 2381         | KISANGANI_SUITE1_CCF06032016_0011_040 |
| 2391         | CCF22082016_0017_008                  |
| 2401         | KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 5: SAMPLED ENTRIES THAT LIST FILE NAMES THAT DO NOT CORRESPOND TO ANY FILE IN THE RELEVANT ANNEX**

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE_CCF05032016_0002 (2)_008         |
| ITURI_SUITE3_CCF07032016_0008_144 - COPIE    |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0009_011 |
| COPIE DE CCF22082016_0033_010                |
| COPIE DE CCF22082016_0034_004                |
| COPIE DE CCF22082016_0033_010                |
| COPIE DE CCF22082016_0034_010                |
| CCF22082016_0071_003                         |
| CCF22082016_0042_006                         |

| <b>Referenced File</b>                       |
|--|
| CCF22082016_0008_008                         |
| CCF22082016_0048_022                         |
| CCF22082016_0005_012                         |
| CCF22082016_0004_012                         |
| CCF22082016_0004_016                         |
| CCF22082016_0105_010                         |
| CCF22082016_0086_006                         |
| CCF22082016_0098_005                         |
| CCF22082016_0042_004                         |
| CCF22082016_0048_030                         |
| ITURI_SUITE4_CCF07032016_0007_227            |
| ITURI_SUITE4_CCF07032016_0007_198            |
| ITURI_SUITE4_CCF07032016_0007_219            |
| ITURI_SUITE4_CCF07032016_0007_211            |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0007_010 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_015 |
| ITURI_SUITE_CCF05032016_0036_034             |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0010_017 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_006 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0002_010 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0011_004 |
| CCF22082016_0017_014                         |
| CCF22082016_0015_016                         |
| CCF22082016_0015_030                         |
| COPIE DE CCF22082016_0036_002                |
| CCF22082016_0042_008                         |
| COPIE DE CCF22082016_0034_010                |

| <b>Referenced File</b>        |
|-------------------------------|
| CCF22082016_0005_020          |
| CCF22082016_0048_020          |
| CCF22082016_0001_012          |
| CCF22082016_0048_032          |
| CCF22082016_0005_018          |
| CCF22082016_0034_012          |
| CCF22082016_0041_006          |
| CCF22082016_0037_012          |
| CCF22082016_0042_014          |
| CCF22082016_0001_008          |
| CCF21082016_0006_006          |
| CCF21082016_0006_024          |
| COPIE DE CCF22082016_0033_012 |
| CCF22082016_0008_008          |
| CCF22082016_0042_020          |
| CCF22082016_0046_010          |
| CCF22082016_0033_008          |
| CCF21082016_0006_028          |
| CCF22082016_0016_002          |
| CCF22082016_0004_016          |
| CCF21082016_0005_002          |
| CCF22082016_0004_012          |
| CCF22082016_0042_010          |
| CCF21082016_0002_006          |
| CCF21082016_0003_014          |
| CCF22082016_0004_018          |
| CCF22082016_0048_026          |

| <b>Referenced File</b>                   |
|--|
| CCF22082016_0005_012                     |
| CCF22082016_0042_020                     |
| CCF21082016_0004_004                     |
| CCF21082016_0006_016                     |
| CCF22082016_0042_026                     |
| CCF21082016_0007_004                     |
| CCF21082016_0004_016                     |
| CCF22082016_0119_004                     |
| COPIE DE KISANGANI_SUITE_CCF05032016_026 |
| KISANGANI_SUITE_CCF05032016_064          |
| CCF22082016_0017_010                     |
| CCF22082016_0004_018                     |
| CCF22082016_0005_024                     |
| CCF22082016_0047_008                     |
| CCF22082016_0021_008                     |
| COPIE DE CCF22082016_0034_014            |
| CCF22082016_0005_012                     |
| CCF21082016_0002_014                     |
| KISANGANI_SUITE1_CCF06032016_0005_026    |
| CCF22082016_0001_012                     |
| CCF22082016_0027_006                     |
| CCF22082016_0048_024                     |
| CCF22082016_0015_018                     |
| CCF22082016_0001_006                     |
| CCF21082016_0004_004                     |
| CCF22082016_0036_006                     |
| CCF2208016_0037_002                      |



| <b>Referenced File</b>                   |
|--|
| CCF22082016_0101_004                     |
| CCF22082016_0097_003                     |
| CCF22082016_0014_014                     |
| CCF22082016_0004_018                     |
| CCF22082016_0019_008                     |
| CCF22082016_0092_006                     |
| COPIE DE KISANGANI_SUITE_CCF05032016_053 |
| CCF21082016_0004_006                     |
| CCF22082016_0015_020                     |
| CCF21082016_0006_020                     |
| CCF22082016_0034_014                     |
| CCF22082016_0007_012                     |
| CCF21082016_0006_014                     |
| CCF21082016_0002_012                     |
| CCF22082016_0019_008                     |
| CCF22082016_0034_016                     |
| CCF22082016_0042_024                     |
| CCF22082016_0005_008                     |
| CCF22082016_0048_030                     |
| CCF22082016_0037_012                     |
| CCF21082016_0001_002                     |
| CCF21082016_0001_008                     |
| CCF22082016_0110_008                     |
| CCF21082016_0006_016                     |
| CCF22082016_0019_006                     |
| CCF22082016_0042_008                     |
| CCF22082016_0033_012                     |

| <b>Referenced File</b>        |
|-------------------------------|
| COPIE DE CCF22082016_0033_012 |
| CCF22082016_0017_008          |

**APPENDIX 6: SAMPLED VICTIM IDENTIFICATION FORMS THAT SPECIFIED THE ACTION IN QUESTION**

| <b>Referenced File</b>                    |
|---|
| BENI_SUITE2_CCF08032016_0007_035          |
| ITURI_SUITE_CCF05032016_0003 (2)_013      |
| ITURI_SUITE_CCF05032016_0029_020          |
| KISANGANI_SUITE2_CCF06032016_0006_030     |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_004 |
| KISANGANI_SUITE1_CCF06032016_0011_116     |
| KISANGANI_SUITE1_CCF06032016_0001_028     |
| KISANGANI_SUITE1_CCF06032016_0015_016     |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_332 |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_074 |
| KISANGANI_SUITE1_CCF06032016_0007_048     |
| KISANGANI_SUITE2_CCF06032016_0005_100     |
| BENI_SUITE1_CCF07032016_0010_036          |
| BENI_CCF05032016_0006 (2)_183             |
| BENI_CCF05032016_0009_011                 |
| BENI_CCF05032016_0007_026                 |
| BENI_CCF05032016_0010_040                 |
| BENI_SUITE1_CCF07032016_0010_044          |
| BENI_SUITE1_CCF07032016_0010_022          |
| COPIE DE ITURI_SUITE5_CCF07032016_036     |

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_CCF05032016_0010_042             |
| BUTEMBO_CCF04032016_0022_004          |
| BUTEMBO_CCF04032016_0020_005          |
| BUTEMBO_CCF04032016_0022_002          |
| BUTEMBO_CCF04032016_0022_013          |
| BUTEMBO_CCF04032016_0002_002          |
| ITURI_SUITE_CCF05032016_0015 (3)_126  |
| ITURI_SUITE_CCF05032016_0011_002      |
| ITURI_SUITE_CCF05032016_0004 (2)_008  |
| ITURI_SUITE3_CCF07032016_0005_001     |
| ITURI_SUITE_CCF05032016_0005 (4)_020  |
| ITURI_SUITE_CCF05032016_0026_019      |
| ITURI_SUITE_CCF05032016_0024_020      |
| ITURI_SUITE_CCF05032016_0009 (2)_029  |
| ITURI_SUITE_CCF05032016_0011_004      |
| CCF22082016_0013_006                  |
| KISANGANI_SUITE1_CCF06032016_0007_042 |
| KISANGANI_SUITE1_CCF06032016_0010_024 |
| CCF22082016_0054_030                  |
| CCF22082016_0050_022                  |
| CCF22082016_010                       |
| CCF22082016_0054_032                  |
| KISANGANI_SUITE1_CCF06032016_0011_106 |
| KISANGANI_SUITE1_CCF06032016_0011_332 |
| ITURI_SUITE4_CCF07032016_0001_014     |
| ITURI_SUITE1_CCF07032016_014          |

| Referenced File                       |
|---------------------------------------|
| ITURI_SUITE1_CCF07032016_0002_002     |
| ITURI_SUITE3_CCF07032016_0006_032     |
| ITURI_SUITE1_CCF07032016_0002_102     |
| ITURI_SUITE1_CCF07032016_0002_104     |
| ITURI_SUITE_CCF04032016_0050_011      |
| ITURI_SUITE_CCF05032016_0009 (2)_041  |
| ITURI_SUITE_CCF04032016_0054_029      |
| ITURI_SUITE_CCF04032016_0050_015      |
| ITURI_SUITE_CCF05032016_0003 (2)_017  |
| CCF22082016_0050_030                  |
| CCF22082016_0051_018                  |
| CCF22082016_0036_008                  |
| KISANGANI_SUITE1_CCF06032016_0015_002 |
| KISANGANI_SUITE2_CCF06032016_008      |
| KISANGANI_SUITE1_CCF06032016_0012_008 |
| KISANGANI_SUITE1_CCF06032016_0001_031 |

**APPENDIX 7: SAMPLED VICTIM IDENTIFICATION FORMS THAT DO NOT ALLEGE THAT THE “AUTEURS PRÉSUMÉS” IS UGANDA OR UGANDAN SOLDIERS**

| Referenced File                      |
|--------------------------------------|
| ITURI_SUITE_CCF05032016_0015 (3)_156 |
| ITURI_SUITE_CCF05032016_0025_016     |
| ITURI_SUITE4_CCF07032016_0007_082    |
| ITURI_SUITE_CCF05032016_0014_021     |
| ITURI_SUITE4_CCF07032016_0011_014    |

| <b>Referenced File</b>               |
|--------------------------------------|
| ITURI_SUITE_CCF05032016_0024_026     |
| ITURI_SUITE4_CCF07032016_0009_036    |
| ITURI_SUITE4_CCF07032016_0002_044    |
| ITURI_SUITE_CCF05032016_0006 (3)_012 |
| ITURI_SUITE_CCF05032016_0001 (3)_030 |
| ITURI_SUITE_CCF05032016_0027_046     |
| ITURI_SUITE4_CCF07032016_0005_006    |
| ITURI_SUITE4_CCF07032016_0011_054    |
| ITURI_SUITE_CCF04032016_0025_007     |
| ITURI_SUITE4_CCF07032016_0009_064    |
| ITURI_SUITE4_CCF07032016_0007_114    |
| ITURI_SUITE_CCF04032016_0015_007     |
| ITURI_SUITE4_CCF07032016_0007_058    |
| ITURI_SUITE_CCF05032016_0024_020     |
| ITURI_SUITE4_CCF07032016_0007_044    |
| ITURI_SUITE_CCF05032016_0005 (4)_012 |
| ITURI_SUITE_CCF04032016_0028_004     |
| ITURI_SUITE4_CCF07032016_0011_012    |
| ITURI_SUITE_CCF05032016_0018_033     |
| ITURI_SUITE_CCF05032016_0026_027     |
| ITURI_SUITE_CCF05032016_0001 (3)_016 |
| ITURI_SUITE4_CCF07032016_0007_060    |
| ITURI_SUITE_CCF05032016_0008 (3)_016 |
| ITURI_SUITE_CCF05032016_0017_012     |
| ITURI_SUITE_CCF05032016 (4)_010      |
| ITURI_SUITE_CCF04032016_0029_004     |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE4_CCF07032016_0011_018            |
| ITURI_SUITE_CCF05032016_0020_010             |
| ITURI_SUITE_CCF05032016_0008 (3)_028         |
| ITURI_SUITE_CCF05032016_0029_020             |
| CCF22082016_008                              |
| Copie (2) de CCF22082016_0032_002            |
| OUGANDA 35                                   |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| CCF22082016_0021_010                         |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_064 |
| CCF22082016_0050_016                         |
| Copie de CCF22082016_0033_002                |
| CCF22082016_0051_026                         |
| CCF22082016_0054_010                         |
| KISANGANI_SUITE2_CCF06032016_0005_066        |
| CCF22082016_0050_014                         |
| CCF22082016_0050_010                         |
| CCF22082016_0022_012                         |
| KISANGANI_SUITE1_CCF06032016_0011_330        |
| ITURI_SUITE_CCF05032016_0021_022             |
| ITURI_SUITE_CCF05032016_0005 (4)_020         |
| ITURI_SUITE_CCF05032016_0026_019             |
| ITURI_SUITE_CCF05032016_0024_020             |
| ITURI_SUITE_CCF05032016_0023_031             |
| ITURI_SUITE_CCF05032016_0012 (3)_002         |
| ITURI_SUITE_CCF05032016_0009 (3)_034         |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE1_CCF07032016_008              |
| CCF22082016_0013_006                      |
| CCF22082016_0006_014                      |
| CCF22082016_0050_006                      |
| KISANGANI_SUITE1_CCF06032016_0007_016     |
| CCF22082016_0054_030                      |
| CCF22082016_0054_030                      |
| CCF22082016_0050_022                      |
| CCF22082016_0036_008                      |
| CCF22082016_0013_012                      |
| CCF22082016_0022_006                      |
| CCF22082016_010                           |
| CCF22082016_0054_032                      |
| CCF22082016_0026_012                      |
| BENI_SUITE2_CCF08032016_0004_026          |
| ITURI_SUITE4_CCF07032016_0007_128         |
| ITURI_SUITE3_CCF07032016_0008_144 - COPIE |
| ITURI_SUITE_CCF05032016_0008 (3)_004      |
| ITURI_SUITE_CCF05032016_0021_042          |
| ITURI_SUITE4_CCF07032016_0007_160         |
| ITURI_SUITE_CCF05032016 (4)_020           |
| ITURI_SUITE_CCF05032016_0024_018          |
| ITURI_SUITE_CCF05032016_0015 (3)_018      |
| ITURI_SUITE_CCF04032016_0027_009          |
| ITURI_SUITE_CCF05032016_0027_020          |
| ITURI_SUITE_CCF04032016_0021_004          |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE4_CCF07032016_0012_002         |
| ITURI_SUITE_CCF05032016_0034_031          |
| ITURI_SUITE_CCF05032016_0034_019          |
| ITURI_SUITE_CCF05032016_0029_014          |
| ITURI_SUITE_CCF05032016_0001 (4)_006      |
| ITURI_SUITE_CCF05032016_0010 (2)_019      |
| ITURI_SUITE_CCF05032016_0027_034          |
| ITURI_SUITE_CCF04032016_0025_040          |
| ITURI_SUITE_CCF05032016_0033_024          |
| ITURI_SUITE3_CCF07032016_0008_084 - COPIE |
| ITURI_SUITE_CCF05032016_0015 (3)_128      |
| ITURI_SUITE4_CCF07032016_0002_002         |
| ITURI_SUITE_CCF04032016_0025_024          |
| ITURI_SUITE4_CCF07032016_0012_022         |
| ITURI_SUITE4_CCF07032016_0011_060         |
| ITURI_SUITE_CCF04032016_0015_011          |
| ITURI_SUITE_CCF05032016_0004 (3)_002      |
| ITURI_SUITE4_CCF07032016_0005_008         |
| ITURI_SUITE4_CCF07032016_0009_038         |
| ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| ITURI_SUITE_CCF05032016_0021_038          |
| ITURI_SUITE_CCF05032016_0001 (3)_016      |
| ITURI_SUITE_CCF05032016_0033_006          |
| ITURI_SUITE_CCF05032016_0001 (3)_018      |
| ITURI_SUITE4_CCF07032016_0007_124         |
| ITURI_SUITE_CCF05032016_0015 (2)_016      |



| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE4_CCF07032016_0007_154         |
| ITURI_SUITE4_CCF07032016_0007_122         |
| ITURI_SUITE_CCF05032016_0019_006          |
| ITURI_SUITE4_CCF07032016_0001_010         |
| ITURI_SUITE4_CCF07032016_0012_014         |
| ITURI_SUITE_CCF04032016_0025_032          |
| ITURI_SUITE1_CCF07032016_024              |
| ITURI_SUITE4_CCF07032016_0011_016         |
| ITURI_SUITE4_CCF07032016_0007_132         |
| ITURI_SUITE_CCF05032016_0008 (3)_008      |
| ITURI_SUITE3_CCF07032016_0011_040         |
| ITURI_SUITE4_CCF07032016_0004_082         |
| ITURI_SUITE3_CCF07032016_0008_018 - COPIE |
| ITURI_SUITE_CCF05032016_0007 (2)_018      |
| KISANGANI_SUITE_CCF05032016 (2)_177       |
| KISANGANI_SUITE1_CCF06032016_0011_108     |
|   |
| BENI_SUITE2_CCF08032016_0001_079          |
| BENI_CCF05032016_0007_002                 |
| BENI_SUITE2_CCF08032016_0007_018          |
| GEMENA_CCF05032016_0001_034               |
| ITURI_SUITE_CCF04032016_0013_026          |
| ITURI_SUITE_CCF05032016_0021_042          |
| ITURI_SUITE_CCF05032016_0026_025          |
| ITURI_SUITE_CCF05032016_0015 (3)_170      |
| ITURI_SUITE_CCF05032016_0011 (2)_043      |

| <b>Referenced File</b>               |
|--------------------------------------|
| ITURI_SUITE_CCF04032016_0057_002     |
| ITURI_SUITE_CCF05032016_0025_008     |
| ITURI_SUITE1_CCF07032016_0001_008    |
| ITURI_SUITE_CCF05032016_0007 (3)_010 |
| ITURI_SUITE_CCF04032016_0015_015     |
| ITURI_SUITE_CCF04032016_0025_020     |
| ITURI_SUITE_CCF05032016_0011 (2)_008 |
| ITURI_SUITE_CCF05032016_0008 (2)_022 |
| ITURI_SUITE_CCF05032016_0007 (4)_010 |
| ITURI_SUITE_CCF05032016_0007 (3)_024 |
| ITURI_SUITE_CCF05032016_0005 (2)_023 |
| ITURI_SUITE_CCF05032016_0005 (2)_025 |
| ITURI_SUITE_CCF05032016_0004 (3)_009 |
| ITURI_SUITE_CCF05032016_0015 (3)_008 |
| ITURI_SUITE_CCF04032016_0028_004     |
| ITURI_SUITE_CCF05032016_0014 (2)_002 |
| ITURI_SUITE_CCF05032016_0021_040     |
| ITURI_SUITE_CCF05032016_0002 (3)_002 |
| ITURI_SUITE_CCF05032016_0024_022     |
| ITURI_SUITE_CCF05032016_0008 (3)_024 |
| ITURI_SUITE1_CCF07032016_0002_102    |
| ITURI_SUITE_CCF05032016_0033_002     |
| ITURI_SUITE_CCF05032016_0014 (2)_006 |
| ITURI_SUITE_CCF05032016_0007 (3)_042 |
| ITURI_SUITE_CCF05032016_0009 (2)_041 |
| ITURI_SUITE_CCF05032016_0030_012     |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE_CCF05032016_0031_016             |
| ITURI_SUITE_CCF05032016_0014_015             |
| ITURI_SUITE_CCF05032016_0030_008             |
| ITURI_SUITE_CCF04032016_0021_006             |
| ITURI_SUITE_CCF04032016_0015_002             |
| ITURI_SUITE_CCF05032016_0005 (3)_008         |
| ITURI_SUITE_CCF05032016_0015 (3)_004         |
| ITURI_SUITE_CCF05032016_0009 (3)_034         |
| ITURI_SUITE_CCF05032016_0007 (3)_038         |
| CCF22082016_0006_010                         |
| CCF22082016_0051_016                         |
| CCF22082016_0026_014                         |
| CCF22082016_0029_006                         |
| CCF22082016_0050_026                         |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_062 |
| CCF22082016_0026_012                         |
| CCF22082016_0031_002                         |
| CCF22082016_0022_008                         |
| CCF22082016_0018_004                         |
| CCF22082016_0061_005                         |
| CCF22082016_0030_008                         |
| CCF22082016_0006_006                         |
| CCF22082016_0051_022                         |
| CCF22082016_0050_006                         |
| OUGANDA 34                                   |
| CCF22082016_0050_012                         |

| <b>Referenced File</b>                       |
|--|
| CCF22082016_0029_026                         |
| CCF22082016_0022_010                         |
| CCF22082016_0050_026                         |
| CCF22082016_0019_002                         |
| COPIE DE KISANGANI_SUITE_CCF05032016_064     |
| CCF22082016_0018_016                         |
| CCF22082016_0026_008                         |
| CCF22082016_0010_002                         |
| COPIE DE KISANGANI_SUITE_CCF05032016_058     |
| KISANGANI_SUITE1_CCF06032016_0011_026        |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_026 |
| KISANGANI_SUITE_CCF05032016_0002 (2)_051     |
| CCF22082016_0020_004                         |
| KISANGANI_SUITE_CCF05032016_0001 (2)_029     |
| CCF22082016_0054_028                         |
| CCF22082016_0009_004                         |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| CCF22082016_0013_014                         |
| CCF22082016_0013_006                         |
| CCF22082016_0013_004                         |
| CCF22082016_0030_010                         |
| OUGANDA 32                                   |
| CCF22082016_0050_030                         |
| CCF22082016_0012_024                         |
| CCF22082016_0051_018                         |
| CCF22082016_0015_002                         |

| <b>Referenced File</b>                   |
|--|
| CCF22082016_0036_008                     |
| CCF22082016_0009_006                     |
| CCF22082016_0019_002                     |
| KISANGANI_SUITE1_CCF06032016_0014_062    |
| CCF22082016_0006_008                     |
| CCF22082016_0026_016                     |
| CCF22082016_0018_004                     |
| CCF22082016_0036_006                     |
| KISANGANI_SUITE_CCF05032016_0002 (2)_011 |
| CCF22082016_0009_004                     |
| CCF22082016_0015_004                     |
| CCF22082016_0056_010                     |
| CCF22082016_0026_008                     |
| KISANGANI_SUITE1_CCF06032016_0001_031    |
| KISANGANI_SUITE1_CCF06032016_0009_028    |
| CCF22082016_0054_028                     |
| CCF22082016_0051_026                     |
| CCF22082016_0055_010                     |
| CCF22082016_0021_004                     |
| CCF22082016_0050_012                     |
| CCF22082016_0050_024                     |
| CCF22082016_0029_008                     |
| CCF22082016_0054_026                     |
| CCF22082016_0015_002                     |
| CCF22082016_0054_016                     |
| CCF22082016_0050_030                     |

| <b>Referenced File</b>                   |
|--|
| KISANGANI_SUITE1_CCF06032016_0012_014    |
| CCF22082016_0029_016                     |
| COPIE DE KISANGANI_SUITE_CCF05032016_051 |
| CCF22082016_0022_010                     |
| CCF22082016_0050_006                     |
| KISANGANI_SUITE1_CCF06032016_0011_180    |
| CCF22082016_0054_026                     |

**APPENDIX 8: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT CONTAIN ANY INFORMATION ABOUT THE VICTIM'S EMPLOYMENT**

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_CCF05032016 (2)_027         |
| BENI_SUITE2_CCF08032016_0007_061 |
| BENI_SUITE2_CCF08032016_008      |
| BENI_SUITE2_CCF08032016_0001_081 |
| BENI_CCF05032016_0002 (2)_009    |
| BENI_CCF05032016_0010_038        |
| BENI_CCF05032016_0001 (2)_041    |
| BENI_CCF05032016_0005 (2)_197    |
| BENI_CCF05032016_0003 (2)_049    |
| BENI_CCF05032016 (2)_049         |
| BENI_CCF05032016_0003 (2)_061    |
| BENI_SUITE2_CCF08032016_0007_086 |
| BENI_CCF05032016_0005 (2)_050    |
| BENI_CCF05032016_0005 (2)_221    |
| BENI_CCF05032016_0006 (2)_010    |

| <b>Referenced File</b>               |
|--------------------------------------|
| BENI_CCF05032016_0005 (2)_115        |
| BENI_CCF05032016_0001 (2)_056        |
| BENI_CCF05032016_0001 (2)_170        |
| BENI_CCF05032016 (2)_037             |
| BENI_CCF05032016_0005 (2)_068        |
| BENI_CCF05032016_0003 (2)_069        |
| BENI_CCF05032016_0003 (2)_002        |
| BENI_CCF05032016_0005 (2)_053        |
| BENI_CCF05032016_0001 (2)_155        |
| BENI_CCF05032016 (2)_035             |
| BENI_CCF05032016_0005 (2)_203        |
| BENI_CCF05032016_0006 (2)_040        |
| BENI_CCF05032016_0006 (2)_022        |
| BUTEMBO_CCF04032016_0003_007         |
| BUTEMBO_CCF04032016_0001_023         |
| BUTEMBO_CCF04032016_0005_012         |
| GEMENA_CCF05032016_0001_006          |
| ITURI_SUITE4_CCF07032016_0004_026    |
| ITURI_SUITE4_CCF07032016_0003_004    |
| ITURI_SUITE4_CCF07032016_0003_014    |
| ITURI_SUITE_CCF04032016_0056_014     |
| ITURI_SUITE_CCF05032016_0001_008     |
| ITURI_SUITE_CCF05032016_0015 (3)_156 |
| ITURI_SUITE_CCF05032016_0015 (3)_106 |
| ITURI_SUITE4_CCF07032016_0007_110    |
| ITURI_SUITE_CCF05032016_0025_016     |
| ITURI_SUITE4_CCF07032016_0007_082    |

| <b>Referenced File</b>               |
|--------------------------------------|
| ITURI_SUITE3_CCF07032016_0011_025    |
| ITURI_SUITE_CCF05032016_0027_030     |
| ITURI_SUITE_CCF05032016_0003 (2)_013 |
| ITURI_SUITE_CCF05032016_0014_021     |
| ITURI_SUITE_CCF05032016_0012 (3)_022 |
| ITURI_SUITE4_CCF07032016_0011_014    |
| ITURI_SUITE_CCF05032016_0024_026     |
| ITURI_SUITE4_CCF07032016_0009_036    |
| ITURI_SUITE4_CCF07032016_0002_044    |
| ITURI_SUITE_CCF05032016_0006 (3)_012 |
| ITURI_SUITE_CCF05032016_0001 (3)_030 |
| ITURI_SUITE_CCF05032016_0027_046     |
| ITURI_SUITE4_CCF07032016_0005_006    |
| ITURI_SUITE4_CCF07032016_0011_054    |
| ITURI_SUITE_CCF04032016_0025_007     |
| ITURI_SUITE4_CCF07032016_0009_064    |
| ITURI_SUITE4_CCF07032016_0007_114    |
| ITURI_SUITE_CCF04032016_0015_007     |
| ITURI_SUITE4_CCF07032016_0007_058    |
| ITURI_SUITE3_CCF07032016_0006_013    |
| ITURI_SUITE3_CCF07032016_0004_023    |
| ITURI_SUITE_CCF05032016_0024_020     |
| ITURI_SUITE3_CCF07032016_0003_023    |
| ITURI_SUITE4_CCF07032016_0007_044    |
| ITURI_SUITE_CCF05032016_0005 (4)_012 |
| ITURI_SUITE_CCF04032016_0028_004     |
| ITURI_SUITE4_CCF07032016_0011_012    |



| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF05032016_0004 (2)_012      |
| ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| ITURI_SUITE_CCF05032016_0018_033          |
| ITURI_SUITE_CCF05032016_0026_027          |
| ITURI_SUITE_CCF05032016_0001 (3)_016      |
| ITURI_SUITE4_CCF07032016_0007_060         |
| ITURI_SUITE3_CCF07032016_0004_018         |
| ITURI_SUITE_CCF05032016_0008 (3)_016      |
| ITURI_SUITE4_CCF07032016_0006_016         |
| ITURI_SUITE_CCF05032016_0017_012          |
| ITURI_SUITE_CCF05032016_0032_004          |
| ITURI_SUITE_CCF05032016_0034_006          |
| ITURI_SUITE_CCF05032016 (4)_010           |
| ITURI_SUITE_CCF05032016_0009 (3)_002      |
| ITURI_SUITE_CCF04032016_0029_004          |
| ITURI_SUITE4_CCF07032016_0011_018         |
| ITURI_SUITE_CCF05032016_0020_010          |
| ITURI_SUITE4_CCF07032016_0004_062         |
| ITURI_SUITE_CCF05032016_0008 (3)_028      |
| ITURI_SUITE_CCF05032016_0029_020          |
| ITURI_SUITE_CCF05032016_0009 (2)_019      |
| ITURI_SUITE4_CCF07032016_0003_016         |
| ITURI_SUITE4_CCF07032016_0006_006         |
| ITURI_SUITE3_CCF07032016_0011_038         |
| ITURI_SUITE4_CCF07032016_0006_012         |
| ITURI_SUITE3_CCF07032016_0008_089 - COPIE |
| ITURI_SUITE_CCF05032016_0009 (2)_061      |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE4_CCF07032016_0006_030            |
| ITURI_SUITE4_CCF07032016_0004_010            |
| ITURI_SUITE_CCF05032016_0006 (2)_002         |
| KISANGANI_SUITE2_CCF06032016_0006_030        |
| KISANGANI_SUITE_CCF05032016_0001 (2)_056     |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_004    |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_006    |
| KISANGANI_SUITE1_CCF06032016_0011_116        |
| KISANGANI_SUITE1_CCF06032016_0015_010        |
| CCF22082016_008                              |
| KISANGANI_SUITE1_CCF06032016_0001_028        |
| Copie (2) de CCF22082016_0032_002            |
| KISANGANI_SUITE1_CCF06032016_0001_048        |
| KISANGANI_SUITE1_CCF06032016_0015_016        |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_332    |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_308    |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_074    |
| KISANGANI_SUITE1_CCF06032016_0002 (2)_056    |
| UGANDA 35                                    |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| CCF22082016_0021_010                         |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_224    |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_064 |
| CCF22082016_0050_016                         |
| KISANGANI_SUITE1_CCF06032016_0011_012        |
| Copie de CCF22082016_0033_002                |
| KISANGANI_SUITE1_CCF06032016_0007_048        |

| <b>Referenced File</b>                |
|---------------------------------------|
| CCF22082016_0051_026                  |
| CCF22082016_0054_010                  |
| KISANGANI_SUITE2_CCF06032016_0005_162 |
| KISANGANI_SUITE2_CCF06032016_0005_168 |
| KISANGANI_SUITE2_CCF06032016_0005_066 |
| CCF22082016_0050_014                  |
| KISANGANI_SUITE2_CCF06032016_0005_100 |
| CCF22082016_0050_010                  |
| KISANGANI_SUITE1_CCF06032016_0011_332 |
| CCF22082016_0022_012                  |
| KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 9: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT CONTAIN ANY INFORMATION ABOUT THE VICTIM'S AGE**

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_CCF05032016 (2)_027         |
| BENI_SUITE2_CCF08032016_0007_061 |
| BENI_SUITE2_CCF08032016_008      |
| BENI_SUITE2_CCF08032016_0001_081 |
| BENI_CCF05032016_0002 (2)_009    |
| BENI_CCF05032016_0010_038        |
| BENI_CCF05032016_0001 (2)_041    |
| BENI_CCF05032016_0005 (2)_197    |
| BENI_CCF05032016_0003 (2)_049    |
| BENI_CCF05032016 (2)_049         |
| BENI_SUITE2_CCF08032016_0007_035 |

| <b>Referenced File</b>               |
|--------------------------------------|
| BENI_SUITE2_CCF08032016_0007_086     |
| BENI_CCF05032016_0005 (2)_050        |
| BENI_CCF05032016_0005 (2)_221        |
| BENI_CCF05032016_0006 (2)_010        |
| BENI_CCF05032016_0005 (2)_115        |
| BENI_CCF05032016_0001 (2)_056        |
| BENI_CCF05032016_0001 (2)_170        |
| BENI_CCF05032016 (2)_037             |
| BENI_CCF05032016_0005 (2)_068        |
| BENI_CCF05032016_0003 (2)_069        |
| BENI_CCF05032016_0003 (2)_002        |
| BENI_CCF05032016_0005 (2)_053        |
| BENI_CCF05032016_0001 (2)_155        |
| BENI_CCF05032016 (2)_035             |
| BENI_CCF05032016_0005 (2)_203        |
| BENI_CCF05032016_0006 (2)_040        |
| BENI_CCF05032016_0006 (2)_022        |
| BUTEMBO_CCF04032016_0003_007         |
| BUTEMBO_CCF04032016_0001_023         |
| BUTEMBO_CCF04032016_0005_012         |
| GEMENA_CCF05032016_0001_006          |
| ITURI_SUITE4_CCF07032016_0004_026    |
| ITURI_SUITE4_CCF07032016_0003_004    |
| ITURI_SUITE4_CCF07032016_0003_014    |
| ITURI_SUITE_CCF04032016_0056_014     |
| ITURI_SUITE_CCF05032016_0001_008     |
| ITURI_SUITE_CCF05032016_0015 (3)_156 |

| <b>Referenced File</b>               |
|--------------------------------------|
| ITURI_SUITE_CCF05032016_0015 (3)_106 |
| ITURI_SUITE4_CCF07032016_0007_110    |
| ITURI_SUITE_CCF05032016_0025_016     |
| ITURI_SUITE4_CCF07032016_0007_082    |
| ITURI_SUITE3_CCF07032016_0011_025    |
| ITURI_SUITE_CCF05032016_0027_030     |
| ITURI_SUITE_CCF05032016_0003 (2)_013 |
| ITURI_SUITE_CCF05032016_0012 (3)_022 |
| ITURI_SUITE4_CCF07032016_0011_014    |
| ITURI_SUITE_CCF05032016_0024_026     |
| ITURI_SUITE4_CCF07032016_0009_036    |
| ITURI_SUITE4_CCF07032016_0002_044    |
| ITURI_SUITE_CCF05032016_0006 (3)_012 |
| ITURI_SUITE_CCF05032016_0001 (3)_030 |
| ITURI_SUITE_CCF05032016_0027_046     |
| ITURI_SUITE4_CCF07032016_0005_006    |
| ITURI_SUITE4_CCF07032016_0011_054    |
| ITURI_SUITE_CCF04032016_0025_007     |
| ITURI_SUITE4_CCF07032016_0009_064    |
| ITURI_SUITE4_CCF07032016_0007_114    |
| ITURI_SUITE_CCF04032016_0015_007     |
| ITURI_SUITE4_CCF07032016_0007_058    |
| ITURI_SUITE3_CCF07032016_0006_013    |
| ITURI_SUITE3_CCF07032016_0004_023    |
| ITURI_SUITE_CCF05032016_0024_020     |
| ITURI_SUITE3_CCF07032016_0003_023    |
| ITURI_SUITE4_CCF07032016_0007_044    |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF05032016_0005 (4)_012      |
| ITURI_SUITE_CCF04032016_0028_004          |
| ITURI_SUITE4_CCF07032016_0011_012         |
| ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| ITURI_SUITE_CCF05032016_0018_033          |
| ITURI_SUITE_CCF05032016_0026_027          |
| ITURI_SUITE_CCF05032016_0001 (3)_016      |
| ITURI_SUITE4_CCF07032016_0007_060         |
| ITURI_SUITE3_CCF07032016_0004_018         |
| ITURI_SUITE_CCF05032016_0008 (3)_016      |
| ITURI_SUITE4_CCF07032016_0006_016         |
| ITURI_SUITE_CCF05032016_0017_012          |
| ITURI_SUITE_CCF05032016_0032_004          |
| ITURI_SUITE_CCF05032016_0034_006          |
| ITURI_SUITE_CCF05032016 (4)_010           |
| ITURI_SUITE_CCF05032016_0009 (3)_002      |
| ITURI_SUITE_CCF04032016_0029_004          |
| ITURI_SUITE4_CCF07032016_0011_018         |
| ITURI_SUITE_CCF05032016_0020_010          |
| ITURI_SUITE4_CCF07032016_0004_062         |
| ITURI_SUITE_CCF05032016_0008 (3)_028      |
| ITURI_SUITE_CCF05032016_0029_020          |
| ITURI_SUITE_CCF05032016_0009 (2)_019      |
| ITURI_SUITE4_CCF07032016_0003_016         |
| ITURI_SUITE4_CCF07032016_0006_006         |
| ITURI_SUITE4_CCF07032016_0006_012         |
| ITURI_SUITE3_CCF07032016_0008_089 - COPIE |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE4_CCF07032016_0006_030            |
| ITURI_SUITE4_CCF07032016_0004_010            |
| ITURI_SUITE_CCF05032016_0006 (2)_002         |
| KISANGANI_SUITE2_CCF06032016_0006_030        |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_004    |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_006    |
| KISANGANI_SUITE1_CCF06032016_0011_116        |
| KISANGANI_SUITE1_CCF06032016_0015_010        |
| CCF22082016_008                              |
| KISANGANI_SUITE1_CCF06032016_0001_028        |
| Copie (2) de CCF22082016_0032_002            |
| KISANGANI_SUITE1_CCF06032016_0001_048        |
| OUGANDA 35                                   |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| CCF22082016_0021_010                         |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_064 |
| CCF22082016_0050_016                         |
| KISANGANI_SUITE1_CCF06032016_0011_012        |
| Copie de CCF22082016_0033_002                |
| CCF22082016_0051_026                         |
| CCF22082016_0054_010                         |
| KISANGANI_SUITE2_CCF06032016_0005_162        |
| KISANGANI_SUITE2_CCF06032016_0005_168        |
| KISANGANI_SUITE2_CCF06032016_0005_066        |
| CCF22082016_0050_014                         |
| KISANGANI_SUITE2_CCF06032016_0005_100        |
| CCF22082016_0050_010                         |

| Referenced File                       |
|---------------------------------------|
| KISANGANI_SUITE1_CCF06032016_0011_332 |
| CCF22082016_0022_012                  |
| KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 10: SAMPLED VICTIM IDENTIFICATION FORMS FOR DEATHS THAT DO NOT SPECIFY WHETHER THE DEATH RESULTED FROM DELIBERATE ACTS OF VIOLENCE OR NOT**

| Referenced File                  |
|----------------------------------|
| BENI_CCF05032016 (2)_027         |
| BENI_SUITE2_CCF08032016_0007_061 |
| BENI_SUITE2_CCF08032016_008      |
| BENI_SUITE2_CCF08032016_0001_081 |
| BENI_CCF05032016_0002 (2)_009    |
| BENI_CCF05032016_0010_038        |
| BENI_CCF05032016_0001 (2)_041    |
| BENI_CCF05032016_0005 (2)_197    |
| BENI_CCF05032016_0003 (2)_049    |
| BENI_CCF05032016 (2)_049         |
| BENI_CCF05032016_0003 (2)_061    |
| BENI_SUITE2_CCF08032016_0007_035 |
| BENI_SUITE2_CCF08032016_0007_086 |
| BENI_CCF05032016_0005 (2)_050    |
| BENI_CCF05032016_0005 (2)_221    |
| BENI_CCF05032016_0006 (2)_010    |
| BENI_CCF05032016_0005 (2)_115    |
| BENI_CCF05032016_0001 (2)_056    |
| BENI_CCF05032016_0001 (2)_170    |



| <b>Referenced File</b>               |
|--------------------------------------|
| BENI_CCF05032016 (2)_037             |
| BENI_CCF05032016_0005 (2)_068        |
| BENI_CCF05032016_0003 (2)_069        |
| BENI_CCF05032016_0003 (2)_002        |
| BENI_CCF05032016_0005 (2)_053        |
| BENI_CCF05032016_0001 (2)_155        |
| BENI_CCF05032016 (2)_035             |
| BENI_CCF05032016_0005 (2)_203        |
| BENI_CCF05032016_0006 (2)_040        |
| BENI_CCF05032016_0006 (2)_022        |
| BUTEMBO_CCF04032016_0003_007         |
| BUTEMBO_CCF04032016_0001_023         |
| BUTEMBO_CCF04032016_0005_012         |
| GEMENA_CCF05032016_0001_006          |
| ITURI_SUITE4_CCF07032016_0004_026    |
| ITURI_SUITE4_CCF07032016_0003_004    |
| ITURI_SUITE4_CCF07032016_0003_014    |
| ITURI_SUITE_CCF04032016_0056_014     |
| ITURI_SUITE_CCF05032016_0001_008     |
| ITURI_SUITE_CCF05032016_0015 (3)_156 |
| ITURI_SUITE_CCF05032016_0015 (3)_106 |
| ITURI_SUITE4_CCF07032016_0007_110    |
| ITURI_SUITE_CCF05032016_0025_016     |
| ITURI_SUITE4_CCF07032016_0007_082    |
| ITURI_SUITE3_CCF07032016_0011_025    |
| ITURI_SUITE_CCF05032016_0027_030     |
| ITURI_SUITE_CCF05032016_0003 (2)_013 |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF05032016_0014_021          |
| ITURI_SUITE_CCF05032016_0012 (3)_022      |
| ITURI_SUITE4_CCF07032016_0011_014         |
| ITURI_SUITE_CCF05032016_0024_026          |
| ITURI_SUITE4_CCF07032016_0009_036         |
| ITURI_SUITE4_CCF07032016_0002_044         |
| ITURI_SUITE_CCF05032016_0006 (3)_012      |
| ITURI_SUITE_CCF05032016_0001 (3)_030      |
| ITURI_SUITE_CCF05032016_0027_046          |
| ITURI_SUITE4_CCF07032016_0005_006         |
| ITURI_SUITE4_CCF07032016_0011_054         |
| ITURI_SUITE_CCF04032016_0025_007          |
| ITURI_SUITE4_CCF07032016_0009_064         |
| ITURI_SUITE4_CCF07032016_0007_114         |
| ITURI_SUITE_CCF04032016_0015_007          |
| ITURI_SUITE4_CCF07032016_0007_058         |
| ITURI_SUITE3_CCF07032016_0006_013         |
| ITURI_SUITE3_CCF07032016_0004_023         |
| ITURI_SUITE_CCF05032016_0024_020          |
| ITURI_SUITE3_CCF07032016_0003_023         |
| ITURI_SUITE4_CCF07032016_0007_044         |
| ITURI_SUITE_CCF05032016_0005 (4)_012      |
| ITURI_SUITE_CCF04032016_0028_004          |
| ITURI_SUITE4_CCF07032016_0011_012         |
| ITURI_SUITE_CCF05032016_0004 (2)_012      |
| ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| ITURI_SUITE_CCF05032016_0018_033          |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF05032016_0026_027          |
| ITURI_SUITE_CCF05032016_0001 (3)_016      |
| ITURI_SUITE4_CCF07032016_0007_060         |
| ITURI_SUITE3_CCF07032016_0004_018         |
| ITURI_SUITE_CCF05032016_0008 (3)_016      |
| ITURI_SUITE4_CCF07032016_0006_016         |
| ITURI_SUITE_CCF05032016_0017_012          |
| ITURI_SUITE_CCF05032016_0032_004          |
| ITURI_SUITE_CCF05032016_0034_006          |
| ITURI_SUITE_CCF05032016 (4)_010           |
| ITURI_SUITE_CCF05032016_0009 (3)_002      |
| ITURI_SUITE_CCF04032016_0029_004          |
| ITURI_SUITE4_CCF07032016_0011_018         |
| ITURI_SUITE_CCF05032016_0020_010          |
| ITURI_SUITE4_CCF07032016_0004_062         |
| ITURI_SUITE_CCF05032016_0008 (3)_028      |
| ITURI_SUITE_CCF05032016_0029_020          |
| ITURI_SUITE_CCF05032016_0009 (2)_019      |
| ITURI_SUITE4_CCF07032016_0003_016         |
| ITURI_SUITE4_CCF07032016_0006_006         |
| ITURI_SUITE3_CCF07032016_0011_038         |
| ITURI_SUITE4_CCF07032016_0006_012         |
| ITURI_SUITE3_CCF07032016_0008_089 - COPIE |
| ITURI_SUITE_CCF05032016_0009 (2)_061      |
| ITURI_SUITE4_CCF07032016_0006_030         |
| ITURI_SUITE4_CCF07032016_0004_010         |
| ITURI_SUITE_CCF05032016_0006 (2)_002      |

| <b>Referenced File</b>                       |
|--|
| KISANGANI_SUITE2_CCF06032016_0006_030        |
| KISANGANI_SUITE_CCF05032016_0001 (2)_056     |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_004    |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_006    |
| KISANGANI_SUITE1_CCF06032016_0011_116        |
| KISANGANI_SUITE1_CCF06032016_0015_010        |
| CCF22082016_008                              |
| KISANGANI_SUITE1_CCF06032016_0001_028        |
| Copie (2) de CCF22082016_0032_002            |
| KISANGANI_SUITE1_CCF06032016_0001_048        |
| KISANGANI_SUITE1_CCF06032016_0015_016        |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_308    |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_074    |
| KISANGANI_SUITE1_CCF06032016_0002 (2)_056    |
| OUGANDA 35                                   |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| CCF22082016_0021_010                         |
| KISANGANI_SUITE1_CCF06032016_0001 (2)_224    |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_064 |
| CCF22082016_0050_016                         |
| KISANGANI_SUITE1_CCF06032016_0011_012        |
| Copie de CCF22082016_0033_002                |
| KISANGANI_SUITE1_CCF06032016_0007_048        |
| CCF22082016_0051_026                         |
| CCF22082016_0054_010                         |
| KISANGANI_SUITE2_CCF06032016_0005_162        |
| KISANGANI_SUITE2_CCF06032016_0005_168        |

| <b>Referenced File</b>                |
|---------------------------------------|
| KISANGANI_SUITE2_CCF06032016_0005_066 |
| CCF22082016_0050_014                  |
| KISANGANI_SUITE2_CCF06032016_0005_100 |
| CCF22082016_0050_010                  |
| KISANGANI_SUITE1_CCF06032016_0011_332 |
| CCF22082016_0022_012                  |
| KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 11: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
PERSONAL INJURIES THAT DO NOT ALLEGE THE EXTENT,  
NATURE, AND/OR TYPE OF THE VICTIM'S INJURY**

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_SUITE1_CCF07032016_0010_036      |
| BENI_CCF05032016_0006 (2)_183         |
| BENI_CCF05032016_0009_011             |
| BENI_SUITE2_CCF08032016_055           |
| BENI_SUITE1_CCF07032016_0010_044      |
| COPIE DE ITURI_SUITE5_CCF07032016_036 |
| BENI_CCF05032016_0005 (2)_085         |
| BENI_CCF05032016_0010_042             |
| BENI_CCF05032016_0005 (2)_235         |
| BENI_CCF05032016_0005 (2)_091         |
| BUTEMBO_CCF04032016_0007_007          |
| BUTEMBO_CCF04032016_0022_004          |
| BUTEMBO_CCF04032016_0020_005          |
| BUTEMBO_CCF04032016_0022_002          |
| BUTEMBO_CCF04032016_0022_013          |

| <b>Referenced File</b>                   |
|--|
| BUTEMBO_CCF04032016_0007_030             |
| BUTEMBO_CCF04032016_0003_020             |
| BUTEMBO_CCF04032016_0002_002             |
| ITURI_SUITE_CCF05032016_0015 (3)_126     |
| ITURI_SUITE_CCF05032016_0011_002         |
| ITURI_SUITE_CCF05032016_0004 (2)_008     |
| ITURI_SUITE3_CCF07032016_0005_001        |
| ITURI_SUITE_CCF05032016_0021_022         |
| ITURI_SUITE_CCF05032016_0005 (4)_020     |
| ITURI_SUITE_CCF05032016_0026_019         |
| ITURI_SUITE_CCF05032016_0024_020         |
| ITURI_SUITE_CCF05032016_0004 (2)_012     |
| ITURI_SUITE_CCF05032016_0023_031         |
| ITURI_SUITE_CCF05032016_0012 (3)_002     |
| ITURI_SUITE1_CCF07032016_008             |
| ITURI_SUITE_CCF05032016_0009 (2)_029     |
| ITURI_SUITE_CCF05032016_0011_004         |
| CCF22082016_0013_006                     |
| CCF22082016_0006_014                     |
| CCF22082016_0050_006                     |
| CCF22082016_0036_008                     |
| CCF22082016_0013_012                     |
| CCF22082016_0026_012                     |
| KISANGANI_SUITE1_CCF06032016_0011_240    |
| KISANGANI_SUITE2_CCF06032016_0005_168    |
| KISANGANI_SUITE_CCF05032016_0002 (2)_025 |

**APPENDIX 12: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
PERSONAL INJURIES THAT DO NOT SPECIFY WHETHER THE  
INJURY RESULTED FROM DELIBERATE ACTS OF VIOLENCE OR  
NOT**

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_SUITE2_CCF08032016_055           |
| BENI_SUITE1_CCF07032016_0010_044      |
| BENI_CCF05032016_0005 (2)_085         |
| BENI_CCF05032016_0005 (2)_235         |
| BENI_CCF05032016_0005 (2)_091         |
| BUTEMBO_CCF04032016_0007_007          |
| BUTEMBO_CCF04032016_0007_030          |
| BUTEMBO_CCF04032016_0003_020          |
| GEMENA_CCF05032016_0001_028           |
| ITURI_SUITE_CCF05032016_0021_022      |
| ITURI_SUITE_CCF05032016_0004 (2)_012  |
| ITURI_SUITE_CCF05032016_0023_031      |
| ITURI_SUITE_CCF05032016_0012 (3)_002  |
| ITURI_SUITE_CCF05032016_0009 (3)_034  |
| ITURI_SUITE1_CCF07032016_008          |
| KISANGANI_SUITE1_CCF06032016_0007_042 |
| KISANGANI_SUITE2_CCF06032016_0005_104 |
| CCF22082016_0006_014                  |
| CCF22082016_0050_006                  |
| KISANGANI_SUITE1_CCF06032016_0011_202 |
| KISANGANI_SUITE1_CCF06032016_0007_016 |
| KISANGANI_SUITE1_CCF06032016_0010_024 |
| KISANGANI_SUITE1_CCF06032016_0011_104 |

| <b>Referenced File</b>                   |
|--|
| CCF22082016_0054_030                     |
| KISANGANI_SUITE1_CCF06032016_0009_038    |
| CCF22082016_0050_022                     |
| CCF22082016_0036_008                     |
| CCF22082016_0013_012                     |
| CCF22082016_0022_006                     |
| CCF22082016_010                          |
| CCF22082016_0054_032                     |
| CCF22082016_0026_012                     |
| KISANGANI_SUITE1_CCF06032016_0011_240    |
| KISANGANI_SUITE2_CCF06032016_0005_168    |
| KISANGANI_SUITE_CCF05032016 (2)_169      |
| KISANGANI_SUITE_CCF05032016_0002 (2)_025 |
| KISANGANI_SUITE1_CCF06032016_0011_106    |

**APPENDIX 13: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
DISPLACEMENTS THAT DO NOT ALLEGE THE SPECIFIC  
LOCATION OF DISPLACEMENT**

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_SUITE2_CCF08032016_0004_026 |
| BENI_CCF05032016_0008_020        |
| BENI_CCF05032016_0001 (2)_031    |
| BENI_SUITE2_CCF08032016_0004_036 |
| BENI_SUITE2_CCF08032016_0004_040 |
| BENI_SUITE2_CCF08032016_0004_097 |
| BENI_CCF05032016_0006 (2)_159    |
| BENI_CCF05032016_0006 (2)_153    |



| <b>Referenced File</b>           |
|----------------------------------|
| BENI_CCF05032016_0006 (2)_156    |
| BENI_CCF05032016_0002 (2)_046    |
| BENI_CCF05032016_0006 (2)_219    |
| BENI_SUITE2_CCF08032016_0004_099 |
| BENI_SUITE2_CCF08032016_0004_006 |
| BENI_SUITE2_CCF08032016_0007_083 |
| BENI_CCF05032016_0005 (2)_273    |
| BENI_CCF05032016_0003 (2)_005    |
| BENI_CCF05032016 (2)_004         |
| BENI_CCF05032016_0005 (2)_157    |
| BENI_CCF05032016_0005 (2)_020    |
| BENI_CCF05032016 (2)_033         |
| BENI_CCF05032016 (2)_039         |
| BENI_CCF05032016_0005 (2)_137    |
| BENI_CCF05032016_0003 (2)_040    |
| BENI_CCF05032016_0003 (2)_055    |
| BENI_CCF05032016_0006 (2)_018    |
| BENI_CCF05032016_0005 (2)_296    |
| BENI_CCF05032016_0005 (2)_163    |
| BENI_SUITE2_CCF08032016_0006_035 |
| BENI_CCF05032016_0001 (2)_102    |
| BENI_CCF05032016_0002 (2)_042    |
| BENI_CCF05032016_0001 (2)_123    |
| BENI_CCF05032016_0001 (2)_155    |
| BENI_CCF05032016_0004 (2)_035    |
| BENI_CCF05032016 (2)_014         |
| BENI_CCF05032016_0001 (2)_149    |

| <b>Referenced File</b>                   |
|--|
| BENI_CCF05032016 (2)_006                 |
| BENI_CCF05032016_0001 (2)_157            |
| BUTEMBO_CCF04032016_0022_007             |
| BUTEMBO_CCF04032016_0009_018             |
| BUTEMBO_CCF04032016_0022_013             |
| BUTEMBO_CCF04032016_0012_005             |
| BUTEMBO_CCF04032016_0015_006             |
| BUTEMBO_CCF04032016_0001_011             |
| BUTEMBO_CCF04032016_013                  |
| BUTEMBO_CCF04032016_0001_029             |
| GEMENA_CCF05032016_0001_006              |
| ITURI_SUITE_CCF05032016_0015 (3)_018     |
| ITURI_SUITE5_CCF07032016_0003_004        |
| ITURI_SUITE3_CCF07032016_0006_011        |
| ITURI_SUITE_CCF05032016_0005 (2)_011     |
| ITURI_SUITE_CCF05032016_0007 (2)_018     |
| KISANGANI_SUITE_CCF05032016_0001 (2)_002 |
| KISANGANI_SUITE1_CCF06032016_0011_260    |
| KISANGANI_SUITE_CCF05032016 (2)_257      |
| KISANGANI_SUITE_CCF05032016 (2)_293      |
| KISANGANI_SUITE1_CCF06032016_0011_196    |
| KISANGANI_SUITE1_CCF06032016_0011_270    |
| KISANGANI_SUITE1_CCF06032016 (2)_002     |
| KISANGANI_SUITE1_CCF06032016 (2)_028     |
| KISANGANI_SUITE1_CCF06032016_0011_268    |
| KISANGANI_SUITE_CCF05032016 (2)_177      |
| KISANGANI_SUITE_CCF05032016 (2)_273      |

| <b>Referenced File</b>                |
|---------------------------------------|
| KISANGANI_SUITE_CCF05032016 (2)_181   |
| KISANGANI_SUITE1_CCF06032016_0011_212 |
| KISANGANI_SUITE1_CCF06032016_0009_028 |
| KISANGANI_SUITE1_CCF06032016_0011_180 |

**APPENDIX 14: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
DISPLACEMENTS THAT DO NOT ALLEGE THE SPECIFIC DATES OF  
DISPLACEMENT**

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_SUITE1_CCF07032016_0010_022 |
| BENI_SUITE2_CCF08032016_0004_026 |
| BENI_CCF05032016_0008_020        |
| BENI_CCF05032016_0001 (2)_031    |
| BENI_SUITE2_CCF08032016_0004_036 |
| BENI_SUITE2_CCF08032016_0004_040 |
| BENI_SUITE2_CCF08032016_0004_097 |
| BENI_CCF05032016_0006 (2)_159    |
| BENI_CCF05032016_0006 (2)_153    |
| BENI_CCF05032016_0006 (2)_156    |
| BENI_CCF05032016_0002 (2)_046    |
| BENI_CCF05032016_0006 (2)_219    |
| BENI_SUITE2_CCF08032016_0004_099 |
| BENI_SUITE2_CCF08032016_0005_049 |
| BENI_SUITE2_CCF08032016_0004_006 |
| BENI_SUITE2_CCF08032016_0007_083 |
| BENI_SUITE2_CCF08032016_0005_092 |
| BENI_SUITE2_CCF08032016_0005_090 |

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_CCF05032016_0005 (2)_273         |
| BENI_SUITE2_CCF08032016_0005_080      |
| COPIE DE ITURI_SUITE5_CCF07032016_036 |
| COPIE DE ITURI_SUITE5_CCF07032016_039 |
| BENI_CCF05032016_0003 (2)_005         |
| BENI_CCF05032016 (2)_004              |
| BENI_CCF05032016_0005 (2)_157         |
| BENI_CCF05032016_0005 (2)_020         |
| BENI_CCF05032016 (2)_033              |
| BENI_CCF05032016 (2)_039              |
| BENI_CCF05032016_0005 (2)_137         |
| BENI_CCF05032016_0003 (2)_040         |
| BENI_CCF05032016_0003 (2)_055         |
| BENI_CCF05032016_0006 (2)_018         |
| BENI_CCF05032016_0005 (2)_296         |
| BENI_CCF05032016_0005 (2)_163         |
| BENI_SUITE2_CCF08032016_0006_035      |
| BENI_CCF05032016_0010_002             |
| BENI_CCF05032016_0001 (2)_102         |
| BENI_CCF05032016_0002 (2)_042         |
| BENI_CCF05032016_0001 (2)_123         |
| BENI_CCF05032016_0001 (2)_155         |
| BENI_CCF05032016_0004 (2)_035         |
| BENI_CCF05032016 (2)_014              |
| BENI_CCF05032016_0001 (2)_149         |
| BENI_CCF05032016 (2)_006              |
| BENI_CCF05032016_0001 (2)_157         |

| <b>Referenced File</b>                    |
|---|
| BUTEMBO_CCF04032016_0007_007              |
| BUTEMBO_CCF04032016_0022_007              |
| BUTEMBO_CCF04032016_0009_018              |
| BUTEMBO_CCF04032016_0022_013              |
| BUTEMBO_CCF04032016_0012_005              |
| BUTEMBO_CCF04032016_0015_006              |
| BUTEMBO_CCF04032016_0001_011              |
| BUTEMBO_CCF04032016_013                   |
| BUTEMBO_CCF04032016_0001_029              |
| GEMENA_CCF05032016_0001_032               |
| GEMENA_CCF05032016_0001_006               |
| ITURI_SUITE4_CCF07032016_0007_128         |
| ITURI_SUITE_CCF05032016_0010_006          |
| ITURI_SUITE3_CCF07032016_0008_148 - COPIE |
| ITURI_SUITE_CCF05032016_0010_014          |
| ITURI_SUITE3_CCF07032016_0011_044         |
| ITURI_SUITE_CCF05032016_0004 (2)_010      |
| ITURI_SUITE_CCF05032016_0004 (2)_008      |
| ITURI_SUITE_CCF05032016_0015 (3)_106      |
| ITURI_SUITE_CCF05032016_0018_029          |
| ITURI_SUITE3_CCF07032016_0008_144 - COPIE |
| ITURI_SUITE_CCF05032016_0008 (3)_004      |
| ITURI_SUITE1_CCF07032016_0002_042         |
| ITURI_SUITE_CCF05032016_0021_042          |
| GEMENA_CCF05032016_0001_002               |
| ITURI_SUITE1_CCF07032016_0002_114         |
| ITURI_SUITE3_CCF07032016_0011_025         |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE1_CCF07032016_0002_056         |
| ITURI_SUITE3_CCF07032016_0003_005         |
| ITURI_SUITE4_CCF07032016_0007_160         |
| ITURI_SUITE_CCF05032016 (4)_020           |
| ITURI_SUITE_CCF05032016_0024_018          |
| ITURI_SUITE_CCF05032016_0015 (3)_018      |
| ITURI_SUITE4_CCF07032016_0007_004         |
| ITURI_SUITE1_CCF07032016_0002_106         |
| ITURI_SUITE_CCF04032016_0027_009          |
| ITURI_SUITE3_CCF07032016_0004_014         |
| ITURI_SUITE_CCF05032016_0027_020          |
| ITURI_SUITE1_CCF07032016_0002_100         |
| ITURI_SUITE_CCF04032016_0021_004          |
| ITURI_SUITE4_CCF07032016_0012_002         |
| ITURI_SUITE_CCF05032016_0018_008          |
| ITURI_SUITE4_CCF07032016_0006_064         |
| ITURI_SUITE3_CCF07032016_0011_046         |
| ITURI_SUITE_CCF05032016_0034_031          |
| ITURI_SUITE3_CCF07032016_0008_045 - COPIE |
| ITURI_SUITE4_CCF07032016_0007_030         |
| ITURI_SUITE4_CCF07032016_0009_060         |
| ITURI_SUITE_CCF05032016_0034_019          |
| ITURI_SUITE_CCF05032016_0029_014          |
| ITURI_SUITE_CCF05032016_0001 (4)_006      |
| ITURI_SUITE_CCF05032016_0010 (2)_019      |
| ITURI_SUITE_CCF05032016_0027_034          |
| ITURI_SUITE_CCF05032016_0036_006          |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF04032016_0025_040          |
| ITURI_SUITE_CCF05032016_0033_024          |
| ITURI_SUITE4_CCF07032016_0007_036         |
| ITURI_SUITE3_CCF07032016_0008_084 - COPIE |
| ITURI_SUITE_CCF05032016_0015 (3)_128      |
| ITURI_SUITE_CCF05032016_0002_017          |
| ITURI_SUITE4_CCF07032016_0002_002         |
| ITURI_SUITE_CCF04032016_0025_024          |
| ITURI_SUITE4_CCF07032016_0012_022         |
| ITURI_SUITE5_CCF07032016_0003_004         |
| ITURI_SUITE3_CCF07032016_0006_011         |
| ITURI_SUITE4_CCF07032016_0011_060         |
| ITURI_SUITE_CCF04032016_0015_011          |
| ITURI_SUITE_CCF05032016_0004 (3)_002      |
| ITURI_SUITE4_CCF07032016_0005_008         |
| ITURI_SUITE_CCF05032016_0001 (4)_022      |
| ITURI_SUITE4_CCF07032016_0009_038         |
| ITURI_SUITE3_CCF07032016_0008_077 - COPIE |
| ITURI_SUITE1_CCF07032016_0002_070         |
| ITURI_SUITE3_CCF07032016_017              |
| ITURI_SUITE_CCF05032016_0021_038          |
| ITURI_SUITE1_CCF07032016_0002_104         |
| ITURI_SUITE_CCF05032016_0001 (3)_016      |
| ITURI_SUITE_CCF05032016_0033_006          |
| ITURI_SUITE_CCF05032016_0001 (3)_018      |
| ITURI_SUITE4_CCF07032016_0007_124         |
| ITURI_SUITE_CCF04032016_0030_010          |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE3_CCF07032016_0008_056 - COPIE |
| ITURI_SUITE_CCF05032016_0015 (2)_016      |
| ITURI_SUITE_CCF05032016_0001 (4)_024      |
| ITURI_SUITE4_CCF07032016_0007_154         |
| ITURI_SUITE4_CCF07032016_0002_022         |
| ITURI_SUITE4_CCF07032016_0007_122         |
| ITURI_SUITE_CCF05032016_0019_006          |
| ITURI_SUITE4_CCF07032016_0001_010         |
| ITURI_SUITE4_CCF07032016_0004_086         |
| ITURI_SUITE4_CCF07032016_0012_014         |
| ITURI_SUITE_CCF04032016_0025_032          |
| ITURI_SUITE1_CCF07032016_018              |
| ITURI_SUITE1_CCF07032016_024              |
| ITURI_SUITE4_CCF07032016_0011_016         |
| ITURI_SUITE4_CCF07032016_0007_132         |
| ITURI_SUITE_CCF05032016_0008 (3)_008      |
| ITURI_SUITE3_CCF07032016_0011_040         |
| ITURI_SUITE4_CCF07032016_0004_082         |
| ITURI_SUITE_CCF05032016_0002_003          |
| ITURI_SUITE3_CCF07032016_0008_086 - COPIE |
| ITURI_SUITE4_CCF07032016_0009_008         |
| ITURI_SUITE3_CCF07032016_0008_018 - COPIE |
| ITURI_SUITE_CCF05032016_0005 (2)_011      |
| ITURI_SUITE3_CCF07032016_0011_002         |
| ITURI_SUITE4_CCF07032016_0009_012         |
| ITURI_SUITE_CCF05032016_0007 (2)_018      |
| ITURI_SUITE3_CCF07032016_0008_065 - COPIE |



| <b>Referenced File</b>                   |
|--|
| ITURI_SUITE3_CCF07032016_0012_004        |
| ITURI_SUITE3_CCF07032016_0005_003        |
| KISANGANI_SUITE1_CCF06032016_0011_028    |
| KISANGANI_SUITE_CCF05032016 (2)_257      |
| KISANGANI_SUITE_CCF05032016 (2)_297      |
| KISANGANI_SUITE_CCF05032016 (2)_293      |
| KISANGANI_SUITE1_CCF06032016_0011_196    |
| KISANGANI_SUITE1_CCF06032016_0011_270    |
| KISANGANI_SUITE1_CCF06032016 (2)_002     |
| KISANGANI_SUITE1_CCF06032016_0010_028    |
| KISANGANI_SUITE1_CCF06032016 (2)_028     |
| KISANGANI_SUITE1_CCF06032016_0017_006    |
| KISANGANI_SUITE1_CCF06032016_0011_268    |
| KISANGANI_SUITE1_CCF06032016_0014_064    |
| KISANGANI_SUITE_CCF05032016 (2)_177      |
| KISANGANI_SUITE1_CCF06032016_0011_012    |
| KISANGANI_SUITE1_CCF06032016_0009_072    |
| KISANGANI_SUITE_CCF05032016 (2)_273      |
| KISANGANI_SUITE1_CCF06032016_0007_060    |
| KISANGANI_SUITE_CCF05032016 (2)_181      |
| KISANGANI_SUITE1_CCF06032016_0011_212    |
| KISANGANI_SUITE1_CCF06032016_0009_028    |
| KISANGANI_SUITE_CCF05032016_0004 (2)_002 |
| KISANGANI_SUITE1_CCF06032016_0011_124    |
| KISANGANI_SUITE1_CCF06032016_0011_108    |
| KISANGANI_SUITE2_CCF06032016_0005_038    |
| KISANGANI_SUITE1_CCF06032016_0011_180    |

| <b>Referenced File</b>                |
|---------------------------------------|
| KISANGANI_SUITE1_CCF06032016_0008_002 |

**APPENDIX 15: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
PROPERTY LOSS OR DAMAGE THAT DO NOT STATE THE EXTENT  
AND/OR NATURE OF THE LOSS OR DAMAGE**

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_SUITE2_CCF08032016_0001_079      |
| BENI_CCF05032016_0002_069             |
| BENI_CCF05032016_0001_025             |
| KISANGANI_SUITE1_CCF06032016_001&_004 |
| BENI_CCF05032016_0005 (2)_036         |
| BENI_CCF05032016_0001 (2)_172         |
| BENI_SUITE2_CCF08032016_0007_055      |
| BENI_CCF05032016_0002 (2)_040         |
| BENI_CCF05032016_0006 (2)_060         |
| BENI_CCF05032016_0002 (2)_003         |
| BENI_CCF05032016_0006 (2)_007         |
| BENI_CCF05032016_0001 (2)_125         |
| BENI_CCF05032016_0005 (2)_069         |
| BENI_SUITE2_CCF08032016_0005_039      |
| BENI_CCF05032016_0006 (2)_048         |
| BENI_CCF05032016_0001 (2)_024         |
| BENI_CCF05032016_0001 (2)_151         |
| BENI_CCF05032016_0005 (2)_312         |
| BENI_CCF05032016_0006 (2)_189         |
| BENI_SUITE2_CCF08032016_0004_096      |
| BENI_SUITE2_CCF08032016_0004_085      |

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_CCF05032016_0002 (2)_009    |
| BENI_CCF05032016_0006 (2)_100    |
| BENI_SUITE1_CCF07032016_0010_058 |
| BENI_CCF05032016_0005 (2)_085    |
| BENI_CCF05032016_0005 (2)_321    |
| BENI_SUITE2_CCF08032016_059      |
| BENI_CCF05032016_0006 (2)_233    |
| BENI_CCF05032016_0006 (2)_164    |
| BENI_CCF05032016_0003 (2)_037    |
| BENI_CCF05032016_0005 (2)_201    |
| BENI_CCF05032016_0001 (2)_018    |
| BENI_CCF05032016_0006 (2)_251    |
| BENI_CCF05032016_0007_002        |
| BENI_CCF05032016_0006 (2)_229    |
| BENI_CCF05032016_0008_028        |
| BENI_CCF05032016_0005 (2)_304    |
| BENI_CCF05032016_0008_002        |
| BENI_CCF05032016_0005 (2)_203    |
| BENI_CCF05032016_0002 (2)_024    |
| BENI_CCF05032016_0005 (2)_077    |
| BENI_CCF05032016_0001 (2)_010    |
| BENI_CCF05032016_0005 (2)_018    |
| BENI_CCF05032016_0001 (2)_173    |
| BENI_CCF05032016_0006 (2)_022    |
| BENI_SUITE1_CCF07032016_0009_010 |
| BENI_CCF05032016_0001 (2)_168    |
| BENI_CCF05032016_0004 (2)_016    |

| <b>Referenced File</b>           |
|----------------------------------|
| BENI_SUITE2_CCF08032016_0007_018 |
| BENI_CCF05032016_0005 (2)_310    |
| BENI_CCF05032016_0006 (2)_058    |
| BENI_SUITE2_CCF08032016_0007_079 |
| BENI_CCF05032016_0006 (2)_106    |
| BENI_SUITE2_CCF08032016_0005_076 |
| BENI_CCF05032016_0006 (2)_141    |
| BENI_SUITE2_CCF08032016_0007_074 |
| BENI_SUITE1_CCF07032016_0010_046 |
| BENI_CCF05032016_0006 (2)_221    |
| BENI_SUITE2_CCF08032016_0004_034 |
| BENI_CCF05032016_0010_032        |
| BENI_CCF05032016_0008_014        |
| BENI_SUITE2_CCF08032016_0005_096 |
| BENI_CCF05032016_0005 (2)_052    |
| BENI_CCF05032016 (2)_020         |
| BENI_CCF05032016_0001 (2)_097    |
| BENI_CCF05032016_0005 (2)_271    |
| BENI_CCF05032016 (2)_008         |
| BENI_CCF05032016 (2)_045         |
| BENI_CCF05032016 (2)_043         |
| BENI_CCF05032016_0008_006        |
| BENI_SUITE2_CCF08032016_0007_085 |
| BENI_CCF05032016_0006 (2)_122    |
| BENI_CCF05032016_0009_021        |
| BENI_CCF05032016_0004 (2)_035    |
| BENI_CCF05032016_0006 (2)_149    |

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_CCF05032016 (2)_014              |
| BENI_CCF05032016_0009_023             |
| BENI_CCF05032016_0006 (2)_104         |
| BENI_SUITE2_CCF08032016_0005_040      |
| BENI_CCF05032016_0006 (2)_165         |
| BENI_CCF05032016_0002 (2)_052         |
| BENI_CCF05032016_0005 (2)_255         |
| BENI_SUITE1_CCF07032016_0010_068      |
| KISANGANI_SUITE1_CCF06032016_0011_002 |
| BUTEMBO_CCF04032016_0014_022          |
| BUTEMBO_CCF04032016_0008_025          |
| BUTEMBO_CCF04032016_0007_029          |
| BUTEMBO_CCF04032016_004               |
| BUTEMBO_CCF04032016_0019_006          |
| BUTEMBO_CCF04032016_0004_009          |
| BUTEMBO_CCF04032016_0010_002          |
| BUTEMBO_CCF04032016_0020_007          |
| BUTEMBO_CCF04032016_007               |
| BUTEMBO_CCF04032016_0006_017          |
| BUTEMBO_CCF04032016_0007_007          |
| BUTEMBO_CCF04032016_0001_011          |
| BUTEMBO_CCF04032016_0007_028          |
| BUTEMBO_CCF04032016_0020_011          |
| BUTEMBO_CCF04032016_0022_002          |
| BUTEMBO_CCF04032016_0001_006          |
| BUTEMBO_CCF04032016_0006_008          |
| BUTEMBO_CCF04032016_0012_003          |

| <b>Referenced File</b>                    |
|---|
| BUTEMBO_CCF04032016_0008_011              |
| BUTEMBO_CCF04032016_0008_010              |
| BUTEMBO_CCF04032016_0001_015              |
| BUTEMBO_CCF04032016_0009_016              |
| BUTEMBO_CCF04032016_0009_014              |
| GEMENA_CCF05032016_0001_026               |
| GEMENA_CCF05032016_0001_034               |
| ITURI_SUITE_CCF04032016_0036_005          |
| ITURI_SUITE7_CCF08032016_0001_005         |
| ITURI_SUITE3_CCF07032016_0011_015         |
| ITURI_SUITE_CCF05032016_0006 (2)_010      |
| ITURI_SUITE3_CCF07032016_0011_021         |
| ITURI_SUITE_CCF05032016_0003 (2)_002      |
| COPIE DE ITURI_SUITE5_CCF07032016_032     |
| COPIE DE ITURI_SUITE5_CCF07032016_021     |
| ITURI_SUITE3_CCF07032016_0006_037         |
| ITURI_SUITE1_CCF07032016_0002_028         |
| ITURI_SUITE_CCF04032016_0013_026          |
| ITURI_SUITE_CCF05032016_0021_042          |
| ITURI_SUITE_CCF05032016_0002 (4)_002      |
| ITURI_SUITE1_CCF07032016_0002_068         |
| ITURI_SUITE_CCF04032016_0027_026          |
| ITURI_SUITE_CCF05032016_0026_025          |
| ITURI_SUITE3_CCF07032016_0008_133 - COPIE |
| ITURI_SUITE1_CCF07032016_0002_056         |
| ITURI_SUITE_CCF05032016_0010_006          |
| ITURI_SUITE_CCF05032016_0015 (3)_170      |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF05032016_0027_030          |
| ITURI_SUITE_CCF04032016_0059_024          |
| ITURI_SUITE_CCF04032016_0059_016          |
| ITURI_SUITE_CCF04032016_0054_033          |
| ITURI_SUITE_CCF05032016_0031_022          |
| ITURI_SUITE_CCF04032016_0023_008          |
| ITURI_SUITE_CCF04032016_0035_011          |
| ITURI_SUITE_CCF05032016_0007 (2)_012      |
| ITURI_SUITE_CCF04032016_0030_011          |
| ITURI_SUITE1_CCF07032016_0002_074         |
| ITURI_SUITE_CCF04032016_0059_008          |
| ITURI_SUITE_CCF04032016_0057_006          |
| ITURI_SUITE3_CCF07032016_0008_009 - COPIE |
| ITURI_SUITE_CCF04032016_0055_001          |
| ITURI_SUITE_CCF04032016_0055_001          |
| ITURI_SUITE_CCF05032016_0011 (2)_043      |
| ITURI_SUITE_CCF05032016_0009 (2)_079      |
| ITURI_SUITE_CCF04032016_0055_009          |
| ITURI_SUITE_CCF04032016_0057_002          |
| ITURI_SUITE_CCF05032016_0025_008          |
| ITURI_SUITE1_CCF07032016_0001_008         |
| ITURI_SUITE1_CCF07032016_0002_016         |
| ITURI_SUITE_CCF05032016_0007 (3)_010      |
| ITURI_SUITE_CCF04032016_0015_015          |
| ITURI_SUITE_CCF04032016_0025_020          |
| ITURI_SUITE_CCF04032016_0032_007          |
| ITURI_SUITE_CCF05032016_0028_004          |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE_CCF05032016_0009 (3)_010         |
| ITURI_SUITE_CCF05032016_0015 (3)_205         |
| ITURI_SUITE_CCF05032016_0011 (2)_008         |
| ITURI_SUITE1_CCF07032016_043                 |
| COPIE DE ITURI_SUITE5_CCF07032016_019        |
| ITURI_SUITE_CCF04032016_0052_002             |
| ITURI_SUITE_CCF05032016_0008 (2)_022         |
| ITURI_SUITE_CCF05032016_0007 (4)_010         |
| ITURI_SUITE_CCF05032016_0007 (3)_024         |
| ITURI_SUITE_CCF05032016_0005 (2)_023         |
| ITURI_SUITE_CCF05032016_0005 (2)_025         |
| ITURI_SUITE3_CCF07032016_0008_006 - COPIE    |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0004_004 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0002_015 |
| ITURI_SUITE_CCF05032016_0009 (2)_016         |
| ITURI_SUITE1_CCF07032016_0002_121            |
| ITURI_SUITE3_CCF07032016_0004_023            |
| ITURI_SUITE_CCF05032016_0009 (2)_073         |
| ITURI_SUITE1_CCF07032016_0002_002            |
| ITURI_SUITE_CCF05032016_0010_010             |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_004 |
| ITURI_SUITE1_CCF07032016_0002_116            |
| ITURI_SUITE_CCF05032016_0004 (3)_009         |
| ITURI_SUITE_CCF05032016_0015 (3)_180         |
| ITURI_SUITE3_CCF07032016_0006_035            |
| ITURI_SUITE_CCF05032016_0007 (4)_006         |
| ITURI_SUITE_CCF05032016_0033_018             |



| <b>Referenced File</b>               |
|--------------------------------------|
| ITURI_SUITE_CCF05032016_0015 (3)_008 |
| ITURI_SUITE_CCF04032016_0034_008     |
| ITURI_SUITE_CCF04032016_0033_012     |
| ITURI_SUITE_CCF04032016_0028_004     |
| ITURI_SUITE4_CCF07032016_0001_014    |
| ITURI_SUITE_CCF04032016_0035_004     |
| ITURI_SUITE_CCF05032016_0014 (2)_002 |
| ITURI_SUITE_CCF05032016_0021_040     |
| ITURI_SUITE_CCF05032016_0002 (3)_002 |
| ITURI_SUITE_CCF04032016_0034_010     |
| ITURI_SUITE_CCF05032016_0024_022     |
| ITURI_SUITE1_CCF07032016_014         |
| ITURI_SUITE1_CCF07032016_0002_002    |
| ITURI_SUITE_CCF05032016_0023_029     |
| ITURI_SUITE3_CCF07032016_0006_032    |
| ITURI_SUITE_CCF05032016_0008 (3)_024 |
| ITURI_SUITE1_CCF07032016_0002_102    |
| ITURI_SUITE1_CCF07032016_0002_104    |
| ITURI_SUITE_CCF05032016_0033_002     |
| ITURI_SUITE_CCF05032016_0014 (2)_006 |
| ITURI_SUITE_CCF04032016_0050_011     |
| ITURI_SUITE_CCF05032016_0007 (3)_042 |
| ITURI_SUITE3_CCF07032016_011         |
| ITURI_SUITE_CCF04032016_0032_003     |
| ITURI_SUITE_CCF04032016_0034_030     |
| ITURI_SUITE_CCF05032016_0009 (2)_035 |
| ITURI_SUITE_CCF05032016_0009 (2)_041 |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE_CCF04032016_0054_029          |
| ITURI_SUITE1_CCF07032016_012              |
| ITURI_SUITE_CCF05032016_0030_012          |
| ITURI_SUITE3_CCF07032016_0008_093 - COPIE |
| ITURI_SUITE_CCF05032016_0026_005          |
| ITURI_SUITE_CCF05032016_0031_016          |
| ITURI_SUITE_CCF05032016_0014_015          |
| ITURI_SUITE_CCF05032016_0006 (2)_007      |
| ITURI_SUITE1_CCF07032016_022              |
| ITURI_SUITE_CCF05032016_0030_008          |
| ITURI_SUITE_CCF04032016_0021_006          |
| ITURI_SUITE3_CCF07032016_0003_015         |
| ITURI_SUITE3_CCF07032016_0008_138 - COPIE |
| ITURI_SUITE_CCF04032016_0015_002          |
| ITURI_SUITE_CCF05032016_0005 (3)_008      |
| ITURI_SUITE1_CCF07032016_0002_123         |
| ITURI_SUITE_CCF05032016_0015 (3)_004      |
| ITURI_SUITE3_CCF07032016_0008_101 - COPIE |
| ITURI_SUITE_CCF04032016_0050_015          |
| ITURI_SUITE_CCF05032016_0009 (3)_034      |
| ITURI_SUITE_CCF05032016_0007 (3)_038      |
| ITURI_SUITE_CCF05032016_0003 (2)_017      |
| CCF22082016_0006_010                      |
| KISANGANI_SUITE1_CCF06032016_0011_006     |
| CCF22082016_0051_016                      |
| CCF22082016_0026_014                      |
| KISANGANI_SUITE_CCF05032016_0004 (2)_006  |

| <b>Referenced File</b>                       |
|--|
| CCF22082016_0029_006                         |
| CCF22082016_0050_026                         |
| KISANGANI_SUITE1_CCF06032016_0006_004        |
| COPIE (2) DE KISANGANI_SUITE_CCF05032016_062 |
| KISANGANI_SUITE1_CCF06032016_0014_008        |
| CCF22082016_0026_012                         |
| CCF22082016_0031_002                         |
| KISANGANI_SUITE1_CCF06032016_0009_050        |
| CCF22082016_0022_008                         |
| CCF22082016_0018_004                         |
| KISANGANI_SUITE1_CCF06032016_0011_034        |
| KISANGANI_SUITE1_CCF06032016_0009_080        |
| CCF22082016_0061_005                         |
| KISANGANI_SUITE1_CCF06032016_0004_032        |
| CCF22082016_0030_008                         |
| KISANGANI_SUITE1_CCF06032016_0014_036        |
| KISANGANI_SUITE1_CCF06032016_0009_002        |
| KISANGANI_SUITE_CCF05032016_0003 (2)_004     |
| KISANGANI_SUITE_CCF05032016 (2)_165          |
| KISANGANI_SUITE1_CCF06032016_0009_018        |
| CCF22082016_0006_006                         |
| CCF22082016_0051_022                         |
| CCF22082016_0050_006                         |
| OUGANDA 34                                   |
| BENI_CCF05032016_008                         |
| KISANGANI_SUITE1_CCF06032016_0011_046        |
| CCF22082016_0050_012                         |

| <b>Referenced File</b>                       |
|--|
| CCF22082016_0029_026                         |
| KISANGANI_SUITE1_CCF06032016 (2)_002         |
| CCF22082016_0022_010                         |
| CCF22082016_0050_026                         |
| KISANGANI_SUITE_CCF05032016_0003 (2)_076     |
| CCF22082016_0019_002                         |
| COPIE DE KISANGANI_SUITE_CCF05032016_064     |
| CCF22082016_0018_016                         |
| KISANGANI_SUITE1_CCF06032016_0014_002        |
| CCF22082016_0026_008                         |
| CCF22082016_0010_002                         |
| COPIE DE KISANGANI_SUITE_CCF05032016_058     |
| KISANGANI_SUITE1_CCF06032016_0011_026        |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_026 |
| KISANGANI_SUITE_CCF05032016_0002 (2)_051     |
| KISANGANI_SUITE2_CCF06032016_0007_064        |
| CCF22082016_0020_004                         |
| KISANGANI_SUITE_CCF05032016 (2)_207          |
| KISANGANI_SUITE_CCF05032016_0001 (2)_029     |
| CCF22082016_0054_028                         |
| KISANGANI_SUITE1_CCF06032016_0009_020        |
| KISANGANI_SUITE1_CCF06032016_0014_044        |
| CCF22082016_0009_004                         |
| COPIE (3) DE KISANGANI_SUITE_CCF05032016_060 |
| KISANGANI_SUITE_CCF05032016_0002 (2)_015     |
| CCF22082016_0013_014                         |
| CCF22082016_0013_006                         |

| <b>Referenced File</b>                    |
|---|
| CCF22082016_0013_004                      |
| CCF22082016_0030_010                      |
| OUGANDA 32                                |
| CCF22082016_0050_030                      |
| CCF22082016_0012_024                      |
| CCF22082016_0054_016                      |
| CCF22082016_0051_018                      |
| CCF22082016_0015_002                      |
| KISANGANI_SUITE1_CCF06032016_0011_164     |
| CCF22082016_0036_008                      |
| KISANGANI_SUITE2_CCF06032016_036          |
| KISANGANI_SUITE2_CCF06032016_008          |
| KISANGANI_SUITE1_CCF06032016_0014_056     |
| KISANGANI_SUITE2_CCF06032016_038          |
| CCF22082016_0009_006                      |
| CCF22082016_0019_002                      |
| KISANGANI_SUITE1_CCF06032016_0011_328     |
| CCF22082016_0006_008                      |
| CCF22082016_0026_016                      |
| KISANGANI_SUITE1_CCF06032016_0011_220     |
| KISANGANI_SUITE2_CCF06032016_048          |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_010 |
| CCF22082016_0018_004                      |
| CCF22082016_0036_006                      |
| KISANGANI_SUITE_CCF05032016_0003 (2)_110  |
| KISANGANI_SUITE_CCF05032016_0002 (2)_011  |
| CCF22082016_0009_004                      |

| <b>Referenced File</b>                   |
|--|
| CCF22082016_0015_004                     |
| CCF22082016_0026_008                     |
| KISANGANI_SUITE1_CCF06032016_0011_294    |
| KISANGANI_SUITE1_CCF06032016_0009_028    |
| CCF22082016_0054_028                     |
| CCF22082016_0051_026                     |
| KISANGANI_SUITE_CCF05032016 (2)_231      |
| CCF22082016_0055_010                     |
| CCF22082016_0006_018                     |
| CCF22082016_0021_004                     |
| CCF22082016_0050_012                     |
| KISANGANI_SUITE2_CCF06032016_026         |
| CCF22082016_0050_024                     |
| CCF22082016_0029_008                     |
| KISANGANI_SUITE1_CCF06032016_0006_002    |
| CCF22082016_0054_026                     |
| CCF22082016_0015_002                     |
| CCF22082016_0054_016                     |
| CCF22082016_0050_030                     |
| KISANGANI_SUITE1_CCF06032016_0012_014    |
| CCF22082016_0029_016                     |
| COPIE DE KISANGANI_SUITE_CCF05032016_051 |
| CCF22082016_0022_010                     |
| CCF22082016_0050_006                     |
| KISANGANI_SUITE1_CCF06032016_0011_180    |
| CCF22082016_0054_026                     |
| KISANGANI_SUITE1_CCF06032016_0011_040    |

| <b>Referenced File</b>                |
|---------------------------------------|
| KISANGANI_SUITE1_CCF06032016_0011_330 |

**APPENDIX 16: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
PROPERTY LOSS OR DAMAGE THAT DO NOT CLAIM ANY  
PARTICULAR VALUATION**

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_CCF05032016_0002_069             |
| KISANGANI_SUITE1_CCF06032016_001&_004 |
| BENI_CCF05032016_0005 (2)_036         |
| BENI_CCF05032016_0001 (2)_172         |
| BENI_SUITE2_CCF08032016_0007_055      |
| BENI_CCF05032016_0002 (2)_040         |
| BENI_CCF05032016_0006 (2)_060         |
| BENI_CCF05032016_0002 (2)_003         |
| BENI_CCF05032016_0006 (2)_007         |
| BENI_CCF05032016_0001 (2)_125         |
| BENI_CCF05032016_0005 (2)_069         |
| BENI_CCF05032016_0006 (2)_048         |
| BENI_CCF05032016_0001 (2)_151         |
| BENI_CCF05032016_0005 (2)_312         |
| BENI_SUITE2_CCF08032016_0004_096      |
| BENI_CCF05032016_0002 (2)_009         |
| BENI_CCF05032016_0005 (2)_085         |
| BENI_CCF05032016_0003 (2)_037         |
| BENI_CCF05032016_0005 (2)_201         |
| BENI_CCF05032016_0007_002             |
| BENI_CCF05032016_0005 (2)_304         |

| <b>Referenced File</b>                |
|---------------------------------------|
| BENI_CCF05032016_0005 (2)_203         |
| BENI_CCF05032016_0002 (2)_024         |
| BENI_CCF05032016_0005 (2)_077         |
| BENI_CCF05032016_0001 (2)_010         |
| BENI_CCF05032016_0005 (2)_018         |
| BENI_CCF05032016_0001 (2)_173         |
| BENI_CCF05032016_0006 (2)_022         |
| BENI_SUITE1_CCF07032016_0009_010      |
| BENI_CCF05032016_0001 (2)_168         |
| BENI_CCF05032016_0004 (2)_016         |
| BENI_SUITE2_CCF08032016_0007_018      |
| BENI_CCF05032016_0005 (2)_310         |
| BENI_CCF05032016_0006 (2)_058         |
| BENI_SUITE2_CCF08032016_0007_079      |
| BENI_SUITE2_CCF08032016_0007_074      |
| BENI_SUITE2_CCF08032016_0004_034      |
| BENI_CCF05032016_0005 (2)_052         |
| BENI_CCF05032016 (2)_020              |
| BENI_CCF05032016_0001 (2)_097         |
| BENI_CCF05032016 (2)_008              |
| BENI_CCF05032016 (2)_045              |
| BENI_SUITE2_CCF08032016_0007_085      |
| BENI_CCF05032016_0004 (2)_035         |
| BENI_CCF05032016 (2)_014              |
| BENI_CCF05032016_0002 (2)_052         |
| BENI_CCF05032016_0005 (2)_255         |
| KISANGANI_SUITE1_CCF06032016_0011_002 |



| <b>Referenced File</b>               |
|--------------------------------------|
| BUTEMBO_CCF04032016_0014_022         |
| BUTEMBO_CCF04032016_0008_025         |
| BUTEMBO_CCF04032016_0007_029         |
| BUTEMBO_CCF04032016_0004_009         |
| BUTEMBO_CCF04032016_0007_007         |
| BUTEMBO_CCF04032016_0007_028         |
| BUTEMBO_CCF04032016_0006_008         |
| BUTEMBO_CCF04032016_0008_011         |
| BUTEMBO_CCF04032016_0008_010         |
| GEMENA_CCF05032016_0001_026          |
| GEMENA_CCF05032016_0001_034          |
| ITURI_SUITE7_CCF08032016_0001_005    |
| ITURI_SUITE3_CCF07032016_0011_015    |
| ITURI_SUITE_CCF05032016_0006 (2)_010 |
| ITURI_SUITE1_CCF07032016_0002_028    |
| ITURI_SUITE_CCF04032016_0013_026     |
| ITURI_SUITE1_CCF07032016_0002_068    |
| ITURI_SUITE1_CCF07032016_0002_056    |
| ITURI_SUITE_CCF05032016_0010_006     |
| ITURI_SUITE_CCF05032016_0015 (3)_170 |
| ITURI_SUITE_CCF05032016_0031_022     |
| ITURI_SUITE_CCF04032016_0023_008     |
| ITURI_SUITE_CCF04032016_0035_011     |
| ITURI_SUITE1_CCF07032016_0002_074    |
| ITURI_SUITE_CCF05032016_0011 (2)_043 |
| ITURI_SUITE_CCF05032016_0009 (2)_079 |
| ITURI_SUITE_CCF04032016_0055_009     |

| <b>Referenced File</b>                       |
|--|
| ITURI_SUITE_CCF05032016_0025_008             |
| ITURI_SUITE1_CCF07032016_0002_016            |
| ITURI_SUITE_CCF05032016_0007 (3)_010         |
| ITURI_SUITE_CCF04032016_0015_015             |
| ITURI_SUITE_CCF04032016_0025_020             |
| ITURI_SUITE_CCF04032016_0032_007             |
| ITURI_SUITE_CCF05032016_0011 (2)_008         |
| COPIE DE ITURI_SUITE5_CCF07032016_019        |
| ITURI_SUITE_CCF05032016_0005 (2)_023         |
| ITURI_SUITE_CCF05032016_0005 (2)_025         |
| ITURI_SUITE3_CCF07032016_0008_006 - COPIE    |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0004_004 |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0002_015 |
| ITURI_SUITE_CCF05032016_0009 (2)_016         |
| ITURI_SUITE_CCF05032016_0009 (2)_073         |
| ITURI_SUITE_CCF05032016_0010_010             |
| STE_&_ETS_PRIVES_ITURIS_CCF04032016_0001_004 |
| ITURI_SUITE1_CCF07032016_0002_116            |
| ITURI_SUITE_CCF05032016_0004 (3)_009         |
| ITURI_SUITE_CCF05032016_0007 (4)_006         |
| ITURI_SUITE_CCF05032016_0015 (3)_008         |
| ITURI_SUITE_CCF04032016_0034_008             |
| ITURI_SUITE_CCF04032016_0028_004             |
| ITURI_SUITE_CCF05032016_0014 (2)_002         |
| ITURI_SUITE_CCF05032016_0023_029             |
| ITURI_SUITE_CCF05032016_0008 (3)_024         |
| ITURI_SUITE1_CCF07032016_0002_102            |

| <b>Referenced File</b>                    |
|---|
| ITURI_SUITE1_CCF07032016_0002_104         |
| ITURI_SUITE_CCF05032016_0014 (2)_006      |
| ITURI_SUITE_CCF05032016_0007 (3)_042      |
| ITURI_SUITE3_CCF07032016_011              |
| ITURI_SUITE_CCF04032016_0032_003          |
| ITURI_SUITE1_CCF07032016_012              |
| ITURI_SUITE_CCF05032016_0014_015          |
| ITURI_SUITE_CCF05032016_0006 (2)_007      |
| ITURI_SUITE1_CCF07032016_022              |
| ITURI_SUITE_CCF05032016_0030_008          |
| ITURI_SUITE_CCF04032016_0021_006          |
| ITURI_SUITE_CCF05032016_0005 (3)_008      |
| ITURI_SUITE_CCF05032016_0015 (3)_004      |
| ITURI_SUITE3_CCF07032016_0008_101 - COPIE |
| ITURI_SUITE_CCF05032016_0007 (3)_038      |
| KISANGANI_SUITE1_CCF06032016_0011_006     |
| KISANGANI_SUITE_CCF05032016_0004 (2)_006  |
| KISANGANI_SUITE1_CCF06032016_0006_004     |
| KISANGANI_SUITE1_CCF06032016_0014_008     |
| KISANGANI_SUITE1_CCF06032016_0009_050     |
| KISANGANI_SUITE1_CCF06032016_0011_034     |
| KISANGANI_SUITE1_CCF06032016_0009_080     |
| CCF22082016_0061_005                      |
| KISANGANI_SUITE1_CCF06032016_0004_032     |
| KISANGANI_SUITE1_CCF06032016_0014_036     |
| KISANGANI_SUITE1_CCF06032016_0009_002     |
| KISANGANI_SUITE_CCF05032016_0003 (2)_004  |

| <b>Referenced File</b>                   |
|--|
| KISANGANI_SUITE_CCF05032016 (2)_165      |
| KISANGANI_SUITE1_CCF06032016_0009_018    |
| BENI_CCF05032016_008                     |
| KISANGANI_SUITE1_CCF06032016_0011_046    |
| KISANGANI_SUITE1_CCF06032016 (2)_002     |
| KISANGANI_SUITE_CCF05032016_0003 (2)_076 |
| KISANGANI_SUITE1_CCF06032016_0014_002    |
| KISANGANI_SUITE1_CCF06032016_0011_026    |
| KISANGANI_SUITE_CCF05032016_0002 (2)_051 |
| KISANGANI_SUITE2_CCF06032016_0007_064    |
| KISANGANI_SUITE_CCF05032016 (2)_207      |
| KISANGANI_SUITE_CCF05032016_0001 (2)_029 |
| KISANGANI_SUITE1_CCF06032016_0009_020    |
| KISANGANI_SUITE1_CCF06032016_0014_044    |
| KISANGANI_SUITE_CCF05032016_0002 (2)_015 |
| CCF22082016_0012_024                     |
| KISANGANI_SUITE1_CCF06032016_0011_164    |
| KISANGANI_SUITE1_CCF06032016_0015_002    |
| KISANGANI_SUITE_CCF05032016_0002 (2)_002 |
| KISANGANI_SUITE2_CCF06032016_036         |
| KISANGANI_SUITE2_CCF06032016_008         |
| KISANGANI_SUITE1_CCF06032016_0014_056    |
| KISANGANI_SUITE2_CCF06032016_038         |
| KISANGANI_SUITE1_CCF06032016_0014_062    |
| KISANGANI_SUITE1_CCF06032016_0011_328    |
| CCF22082016_0006_008                     |
| CCF22082016_0026_016                     |

| <b>Referenced File</b>                    |
|---|
| KISANGANI_SUITE1_CCF06032016_0011_220     |
| KISANGANI_SUITE1_CCF06032016_0012_008     |
| KISANGANI_SUITE2_CCF06032016_048          |
| KISANGANI_SUITE2_CCF06032016_0003 (2)_010 |
| KISANGANI_SUITE1_CCF06032016_0011_182     |
| CCF22082016_0036_006                      |
| KISANGANI_SUITE_CCF05032016_0003 (2)_110  |
| KISANGANI_SUITE_CCF05032016_0002 (2)_011  |
| CCF22082016_0015_004                      |
| KISANGANI_SUITE1_CCF06032016_0001_031     |
| KISANGANI_SUITE1_CCF06032016_0011_294     |
| KISANGANI_SUITE1_CCF06032016_0009_028     |
| KISANGANI_SUITE2_CCF06032016_026          |
| KISANGANI_SUITE1_CCF06032016_0006_002     |
| KISANGANI_SUITE1_CCF06032016_0011_180     |
| KISANGANI_SUITE1_CCF06032016_0011_040     |
| KISANGANI_SUITE1_CCF06032016_0011_330     |

**APPENDIX 17: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
PROPERTY LOSS OR DAMAGE THAT DO NOT INDICATE THE  
SPECIFIC TYPE OF PROPERTY LOST OR DAMAGED**

| <b>Referenced File</b>        |
|-------------------------------|
| BENI_CCF05032016_0005 (2)_036 |
| BENI_CCF05032016_0001 (2)_172 |
| BENI_CCF05032016_0002 (2)_040 |
| BENI_CCF05032016_0006 (2)_060 |
| BENI_CCF05032016_0002 (2)_003 |

| <b>Referenced File</b>        |
|-------------------------------|
| BENI_CCF05032016_0006 (2)_007 |
| BENI_CCF05032016_0001 (2)_125 |
| BENI_CCF05032016_0005 (2)_069 |
| BENI_CCF05032016_0006 (2)_048 |
| BENI_CCF05032016_0001 (2)_151 |
| BENI_CCF05032016_0005 (2)_312 |
| BENI_CCF05032016_0002 (2)_009 |
| BENI_CCF05032016_0005 (2)_085 |
| BENI_SUITE2_CCF08032016_059   |
| BENI_CCF05032016_0006 (2)_233 |
| BENI_CCF05032016_0003 (2)_037 |
| BENI_CCF05032016_0005 (2)_201 |
| BENI_CCF05032016_0005 (2)_304 |
| BENI_CCF05032016_0005 (2)_203 |
| BENI_CCF05032016_0002 (2)_024 |
| BENI_CCF05032016_0005 (2)_077 |
| BENI_CCF05032016_0001 (2)_010 |
| BENI_CCF05032016_0001 (2)_173 |
| BENI_CCF05032016_0006 (2)_022 |
| BENI_CCF05032016_0001 (2)_168 |
| BENI_CCF05032016_0004 (2)_016 |
| BENI_CCF05032016_0005 (2)_310 |
| BENI_CCF05032016_0006 (2)_058 |
| BENI_CCF05032016_0005 (2)_052 |
| BENI_CCF05032016 (2)_020      |
| BENI_CCF05032016_0001 (2)_097 |
| BENI_CCF05032016_0005 (2)_271 |

| <b>Referenced File</b>                    |
|---|
| BENI_CCF05032016 (2)_008                  |
| BENI_CCF05032016 (2)_045                  |
| BENI_CCF05032016 (2)_043                  |
| BENI_CCF05032016 (2)_014                  |
| BENI_CCF05032016_0002 (2)_052             |
| BENI_CCF05032016_0005 (2)_255             |
| KISANGANI_SUITE1_CCF06032016_0011_002     |
| BUTEMBO_CCF04032016_0020_007              |
| BUTEMBO_CCF04032016_0009_014              |
| ITURI_SUITE3_CCF07032016_0011_015         |
| ITURI_SUITE3_CCF07032016_0008_133 - COPIE |
| ITURI_SUITE_CCF04032016_0055_009          |
| ITURI_SUITE1_CCF07032016_0002_002         |
| ITURI_SUITE_CCF05032016_0015 (3)_008      |
| ITURI_SUITE_CCF05032016_0023_029          |
| ITURI_SUITE_CCF05032016_0015 (3)_004      |
| CCF22082016_0026_014                      |
| CCF22082016_0029_006                      |
| CCF22082016_0050_026                      |
| CCF22082016_0061_005                      |
| CCF22082016_0030_008                      |
| UGANDA 34                                 |
| CCF22082016_0050_026                      |
| KISANGANI_SUITE1_CCF06032016_0014_002     |
| KISANGANI_SUITE_CCF05032016_0002 (2)_015  |
| CCF22082016_0013_006                      |
| CCF22082016_0030_010                      |

| <b>Referenced File</b> |
|------------------------|
| OUGANDA 32             |
| CCF22082016_0015_002   |
| CCF22082016_0019_002   |
| CCF22082016_0026_016   |
| CCF22082016_0036_006   |

**APPENDIX 18: SAMPLED VICTIM IDENTIFICATION FORMS FOR  
DISPLACEMENTS THAT CONTAIN INFORMATION ABOUT THE  
DURATION OF THE ALLEGED DISPLACEMENT**

| <b>Referenced File</b>                    |
|---|
| BENI_SUITE1_CCF07 032016_0010_022         |
| BENI_SUITE2_CCF08032016_0004_006          |
| BENI_SUITE2_CCF08032016_0007_083          |
| BENI_SUITE2_CCF08032016_0006_035          |
| BUTEMBO_CCF04032016_0022_007              |
| ITURI_SUITE3_CCF07032016_0008_148 - COPIE |
| ITURI_SUITE1_CCF07032016_0002_123         |
| KISANGANI_SUITE1_CCF06032016_0011_190     |
| KISANGANI_SUITE1_CCF06032016_0015_012     |
| KISANGANI_SUITE1_CCF06032016_0011_028     |
| KISANGANI_SUITE_CCF05032016 (2)_257       |
| KISANGANI_SUITE1_CCF06032016_0011_196     |
| KISANGANI_SUITE1_CCF06032016_0010_028     |
| KISANGANI_SUITE1_CCF06032016 (2)_028      |
| KISANGANI_SUITE1_CCF06032016_0011_012     |
| KISANGANI_SUITE_CCF05032016 (2)_181       |
| KISANGANI_SUITE1_CCF06032016_0011_212     |
| KISANGANI_SUITE1_CCF06032016_0009_028     |



| <b>Referenced File</b>                |
|---------------------------------------|
| KISANGANI_SUITE1_CCF06032016_0011_124 |
| KISANGANI_SUITE1_CCF06032016_0011_108 |