



Original : English

N°: ICC-01/14-01/18

Date: 15 May 2023

**TRIAL CHAMBER V**

**Before:** Judge Bertram Schmitt, Presiding Judge  
Judge Péter Kovács  
Judge Chang-ho Chung

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II**

**IN THE CASE OF**

***THE PROSECUTOR v. ALFRED YEKATOM AND  
PATRICE-EDOUARD NGAÏSSONA***

**Public**

**With Confidential Annex 1 and its Public Redacted Version**

**Registry's Report on Evidence Recognised as Formally Submitted by the Chamber  
for witness P-1042**

**Source: Registry**

To be notified, in accordance with Regulation 31 of the Regulations of the Court, to:

**The Office of the Prosecutor**

Mr Karim A. A. Khan  
Mr Mame Mandiaye Niang  
Mr Kweku Vanderpuye

**Counsel for Alfred Yekatom**

Ms Mylène Dimitri  
Ms Anta Guissé

**Counsel for Patrice-Edouard Ngaïssona**

Mr Geert-Jan Alexander Knoops  
Ms Marie-Hélène Proulx

**Legal Representatives of the Victims**

Mr Dmytro Suprun  
Mr Abdou Dangabo Moussa  
Ms Elisabeth Rabesandratana  
Mr Yaré Fall  
Ms Marie-Edith Douzima-Lawson  
Ms Paolina Massidda

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Osvaldo Zavala Giler

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

## I. Introduction

1. The Registry submits the present report (“Registry Report”) and its two annexes consisting of a confidential version of items recognised as evidence formally submitted and its public redacted version, pursuant to the “Initial Directions on the Conduct of the Proceedings” (“Directions”),<sup>1</sup> issued on 26 August 2020 by Trial Chamber V (“Chamber”).

## II. Procedural history

2. On 26 August 2020, the Presiding Judge issued the Directions which adopted, among other guidelines, provisions related to the submission of evidence by email.<sup>2</sup> The Registry was directed to file on the record of the case reports indicating which items have been formally submitted by all participants in relation to each witness who testifies.<sup>3</sup>
3. On 22 June 2021, the Chamber instructed the Registry to additionally file confidential versions of the Registry Reports, in order to fully reflect the emails on the case record. The Chamber further instructed that these confidential versions be filed simultaneously with the public version.<sup>4</sup>
4. From 21 to 22 September 2022, the Office of the Prosecution (“Prosecution”) called its forty-sixth witness.<sup>5</sup> After the conclusion of the examination of witness P-1042, parties formally submitted items used during the hearings as instructed in the Directions.

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<sup>1</sup> Trial Chamber V, “Initial Directions on the Conduct of the Proceedings”, 26 August 2020, ICC-01/14-01/18-631, para 63.

<sup>2</sup> *Ibid.*, para. 63(i).

<sup>3</sup> *Idem.*, para. 63(v).

<sup>4</sup> E-mail sent by Trial Chamber V Communications to the Associate Legal Officers, Parties and Participants, on 22 June 2021 at 09:31.

<sup>5</sup> Transcript of 21 September 2022, ICC-01/14-01/18-T-163-RT-ENG and Transcript of 22 September 2022, ICC-01/14-01/18-T-164-RT-ENG.

5. On 10 May 2023, the Chamber issued the decision on items of evidence recognised as formally submitted for witness P-1042 via email.<sup>6</sup> Pursuant to the Directions, the Registry was instructed to apply redactions, as appropriate, to the emails enclosed in Annex 1 to the filing.<sup>7</sup>

### III. Applicable law

6. For the purpose of the present submission, the Registry has considered *inter alia* articles 64(7), 64(10) and 67(1) of the Rome Statute and rule 137 of the Rules of Procedure and Evidence.

### IV. Submission

7. The Registry hereby attaches confidential Annex 1:
  - **Annex 1:** "Decision on Submitted Materials for P-1042", dated 10 May 2023 at 16.50.
8. In order to enable the parties and participants to suggest specific additional redactions to Annex 1, the Registry followed the procedure that was adopted in the Directions.<sup>8</sup>
9. The Registry liaised by way of email with the Prosecution, the Defence for Mr Yekatom, the Defence for Mr Ngaïssona, the Legal Representatives of the Former Child Soldiers Victims ("CLRV1") and the Legal Representatives of the Victims of the Other Crimes ("CLRV2").<sup>9</sup> Further redactions were proposed by the parties.<sup>10</sup>

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<sup>6</sup> Email sent by Trial Chamber V Communications on 10 May 2023 at 16:50.

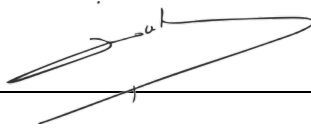
<sup>7</sup> Trial Chamber V, "Initial Directions on the Conduct of the Proceedings", 26 August 2020, ICC-01/14-01/18-631, para. 63(v).

<sup>8</sup> Trial Chamber V, "Initial Directions on the Conduct of the Proceedings", *op. cit.*, para 77.

<sup>9</sup> Email sent by the Court Management Section on 11 May 2023 at 10:01 attaching Annex 1.

<sup>10</sup> After *inter partes* consultation, the Registry received a response from the Prosecution with additional redactions, on 11 May 2023 at 18:25.

10. Accordingly, the Registry applied redactions to the emails set forth in the following public redacted version of **Annex 1**: “Decision on Submitted Materials for P-1042”, dated 10 May 2023 at 16.50.



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Marc Dubuisson,

Director, Division of Judicial Services

On behalf of Peter Lewis, Registrar

Dated this 15 May 2023

At The Hague, The Netherlands