



**Original: English**

**No. ICC-01/14-01/18**

**Date: 2 July 2024**

**TRIAL CHAMBER V**

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II**

**IN THE CASE OF  
THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD  
NGAISSONA**

**Public**

**Amended Directions on the Conduct of the Proceedings  
(End of Defence Presentation of Evidence and Closure of Evidence)**

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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**TRIAL CHAMBER V** of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Articles 64(2), 67 and 69 of the Rome Statute and Rules 140 and 141 of the Rules of Procedure and Evidence, issues these ‘Amended Directions on the Conduct of the Proceedings (End of Defence Presentation of Evidence and Closure of Evidence)’.

1. The Chamber recalls the procedural history and directions set out in its ‘Further Directions on the Conduct of the Proceedings (End of Defence Presentation of Evidence and Closure of Evidence)’.<sup>1</sup>
2. The Chamber notes that only three defence witnesses remain to be heard live, who are currently expected to testify between 4 and 18 July 2024,<sup>2</sup> as well as Mr Ngaïssona’s unsworn statement, which the Chamber hereby schedules for 20-21 August 2024.
3. However, there appears to be a risk that two of these witnesses, D30-4914 and D30-4679, cannot be heard as scheduled<sup>3</sup> due to ongoing issues to facilitate their appearance.<sup>4</sup> In the interests of efficiency, the Chamber thus considers it appropriate to make alternate arrangements should D30-4914 and D30-4679 not be able to testify as presently scheduled. Notably, the Chamber hereby informs the participants and the Registry that in such event it will hear (i) Mr Ngaïssona’s unsworn statement between 17 and 18 July 2024<sup>5</sup> and (ii) the testimonies of D30-4914 and D30-4679 between 19 and 30 August 2024 (the concrete dates for each witness are to be determined by the Ngaïssona Defence in consultation with the Registry).

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<sup>1</sup> 2 February 2024, ICC-01/14-01/18-2342 (the ‘Further Directions’).

<sup>2</sup> These are the Ngaïssona Defence witnesses D30-4848, D30-4914 and D30-4679.

<sup>3</sup> D30-4914 is expected to testify between 9 and 11 July 2024 and D30-4679 is expected to testify between 12 and 18 July 2024.

<sup>4</sup> *See for instance* Ngaïssona Defence’s Request for Urgent Intervention regarding State Cooperation, ICC-01/14-01/18-2545-Conf.

<sup>5</sup> While the Chamber previously indicated that the most opportune time for hearing the unsworn statement was after the testimony of the last witness to be called by the Defence (*see* Further Directions, ICC-01/14-01/18-2342, para. 8), it sees no reason precluding it from hearing such statement already before that point in the specific circumstances at hand.

4. Finally, in light of the duration of the proceedings and the Chamber's obligation to ensure an expeditious trial, the Chamber considers it appropriate to set a deadline for the last day of live witness testimony, namely at 30 August 2024.

**FOR THESE REASONS, THE CHAMBER HEREBY**




**SCHEDULES** Mr Ngaïssona's unsworn statement for 20-21 August 2024;

**SETS** the following alternate schedule, in the event that D30-4914 and D30-4679 cannot appear as presently scheduled:

- Mr Ngaïssona's unsworn statement will be heard between 17 and 18 July 2024,
- D30-4914 and D30-4679 will be heard between 19 and 30 August 2024, as set out above in paragraph 3; and

**SETS** the deadline for the last day of live witness testimony at 30 August 2024.

Done in both English and French, the English version being authoritative.

 _____ <b>Judge Péter Kovács</b>	 _____ <b>Judge Bertram Schmitt</b> <b>Presiding Judge</b>	 _____ <b>Judge Chang-ho Chung</b>
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Dated 2 July 2024

At The Hague, The Netherlands