



Original : English

N° : ICC-01/14-01/18
Date: 16 December 2020

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 public Annexes 1 to 33

**Registry Report Filing on the Case Record Decisions issued by way of e-mail from
27 March 2020 to 3 September 2020**

Source: Registry

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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****Registrar**

Mr Peter Lewis

Counsel Support Section**Victims and Witnesses Unit****Detention Section****Victims Participation and Reparations
Section****Other**

I. Introduction

1. The Registry hereby submits the present report and its 33 annexes consisting of email decisions (“Report”) pursuant to the “Initial Directions on the Conduct of the Proceedings” (“Initial Directions”),¹ issued on 26 August 2020 by Trial Chamber V (“Chamber”).

II. Procedural History

2. On 26 August 2020, the Chamber issued the Initial Directions instructing the Registry to file all email decisions on the case record in quarterly reports (“Report(s) on Email Decisions”) starting 15 September 2020.²
3. The Chamber directed the parties and participants to: a. frame their requests made by email in a way that make their publicity possible; b. indicate in the email when emails cannot be made public at all.³
4. The Presiding Judge clarified in the Decision that emails related to the submission of evidence should not be part of the Reports on e-mail Decisions.⁴

III. Applicable law

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

IV. Submission

6. In the Initial Directions, the Presiding Judge provided criteria for the application of the redactions to the email decisions. The Registry is instructed

¹ Trial Chamber V, Initial Directions on the Conduct of the Proceedings, ICC-01/14-01/18-631, 26 August 2020, para. 76.

² *Ibid.* Following an e-mail of 15 December 2020 from Trial Chamber V Communications, the Court Management Section was allowed to extend the deadline of filing the Report to 16 December 2020.

³ *Ibid.*, para. 78.

⁴ *Ibid.*, footnote 58.

inter alia to: “[...] apply the following redactions: (i) names of Chambers staff members, where applicable; (ii) names of Registry staff members, if deemed necessary by the Registry; and (iii) any personal email address or other private or personal information. The Registry shall consult the participants on the redactions applied. In case of disagreement, the Chamber will rule.”⁵

7. On 10 September and 1 October 2020, the Chamber sent to the Court Management Section (“CMS”) email decisions issued by the Chamber until 10 September 2020 to be filed on the case record.⁶
8. On 1 October 2020, CMS sent the email decisions, in their redacted form, pursuant to the Initial Directions, to the parties and participants for consultation on the redactions applied.⁷
9. On 2 and 5 October 2020, the Legal Representatives of Victims, the Defence teams and the Registry’s sections, where appropriate, reverted to CMS with their respective feedback .⁸
10. On 16 December 2020, the Prosecution informed CMS that it did not have any observations.⁹
11. Accordingly, the Registry applied redactions to emails set forth in the following 33 annexes:
 - Annex 1** : Request for extension of time; 27/03/2020, at 13:49
 - Annex 2**: Request for extension of time - CAR authorities; 09/04/2020 at 13:00
 - Annex 3**: ICC-01/14-01/18-480-Conf; 17/04/2020 at 11:25
 - Annex 4**: Observations on ICC-01/14-01/18-489; 24/04/2020 at 13:18

⁵ *Ibid.*, para. 77.

⁶ Emails sent by the Chamber to Registry CMS on 10 September 2020 at 15:00 and 1 October, 14:09

⁷ Email sent by Registry CMS on 1 October 2020 at 15:43.

⁸ Email received by the Court Officer, on 2 October, 16:06 and 5 October, 11:38, 11:42, 11:52 and 12:51.

⁹ Email received by the Court Officer on 16 December 2020, 11:55.

Annex 5: RE: Yekatom request for variation of time limit to ICC-01/14-01/18-503-Conf; 04/05/2020 at 16:20

Annex 6: RE: Request to Trial Chamber V; 15/05/2020 at 17:17

Annex 7: Reclassification ICC-01/14-01/18-328-Conf-Exp; 22/05/2020 at 10:53

Annex 8: ICC-01/14-01/8-532; 27/05/2020 at 12:26

Annex 9: PRV of ICC-01/14-01/18-473-Conf; 29/05/2020 at 11:55

Annex 10: Submissions on ICC-01/14-01/18-541-Conf; 03/06/2020 at 10:03

Annex 11: Submissions on ICC-01/14-01/18-544-Conf-Exp.; 08/06/2020 at 11:38

Annex 12: RE: The Prosecutor v. Alfred Yekatom & Patrice-Edouard Ngaïssona: ICC-01/14-01/18-541-Red - Public Redacted Version of "Defence Request to Redress the Violations of Mr Ngaïssona's Rights in Detention"; 12/06/2020 at 11:30

Annex 13: RE: Submissions on ICC-01/14-01/18-544-Conf-Exp; 15/06/2020 at 15:35

Annex 14: Decision on Defence Request ICC-01/14-01/18-544-Conf-Exp; 18/06/2020 a0074 16:20

Annex 15: Responses and observations to ICC-01/14-01/18-564-Conf; 22/06/2020 at 15:02

Annex 16: Decision on Defence Request ICC-01/14-01/18-564-Conf; 25/06/2020 at 12:30

Annex 17: RE: urgent request for reclassification of Defence motion ICC-01/14-01/18-574 - Motion to Exclude Call Location Evidence; 30/06/2020 at 10:23

Annex 18: Reclassification of filing ICC-01/14-01/18-557-Conf-Exp + Annex; 30/06/2020 at 10:26

Annex 19: RE: urgent request for reclassification of Defence motion ICC-01/14-01/18-574 - Motion to Exclude Call Location Evidence; 30/06/2020 at 18:55

Annex 20: RE: Joining the "Motion for Finding of Disclosure Violation and for Deadline for Disclosure of Exculpatory Material" (ICC-01/14-01/18-566-Conf); 01/07/2020 at 12:27

Annex 21: Reclassification of filings ICC-01/14-01/18-544-Conf-Exp and ICC-01/14-01/18-558-Conf-Exp; 01/07/2020 at 12:36

Annex 22: RE: Exceptional request for in-person visit today; 08/07/2020 at 11:15

Annex 23: Reclassification of filing ICC-01/14-01/18-587; 15/07/2020 at 11:02

Annex 24: Reclassification of filing ICC-01/14-01/18-487-Conf; 17/07/2020 at 18:11

Annex 25: RE: Request to file consolidated response; 21/07/2020 at 12:57

Annex 26: RE: Y&N\ VPRS to Trial Chamber V - Request for guidance in relation to applications for participation; 30/07/2020 at 17:29

Annex 27: redacted version of filing ICC-01/14-01/18-612-Conf-Exp-AnxA; 04/08/2020 at 18:29

Annex 28: filing ICC-01/14-01/18-1615 and its annex; 06/08/2020 at 16:16

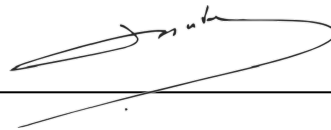
Annex 29: Prosecution Request ICC-01/14-01/18-628-Conf-Exp/-Conf-Red; 24/08/2020 at 12:32

Annex 30: Decision on Prosecution Request ICC-01/14-01/18-628-Conf-Exp/Conf-Red; 31/08/2020 at 14:58.

Annex 31: Reclassification ICC-01/14-01/18-635-Conf-Red; 01/09/2020 10:51

Annex 32 RE: Decision on Prosecution Request ICC-01/14-01/18-628-Conf-Exp/Conf-Red; 03/09/2020 at 12:50

Annex 33: Decision on Prosecution's Extension Request; 03/09/2020 at 16:50



Marc Dubuisson, Director of Division of Judicial Service
On behalf of Peter Lewis, Registrar

Dated this 16 December 2020

At The Hague, The Netherlands