

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/18**
Date: **9 November 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 *PROSECUTOR v. ALFRED YEKATOM AND PATRICE-
EDOUARD NGAÏSSONA***

**Public
with
Confidential Annexes A, B, and C**

Prosecution's List of Witnesses and Evidence

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Mr James Stewart

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Me Mylène Dimitri

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Mr Abdou Dangabo Moussa

Ms Elisabeth Rabesandratana

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. INTRODUCTION

1. Pursuant to Trial Chamber V's ("Chamber") 16 July 2020 Decision,¹ the Office of the Prosecutor ("Prosecution") hereby provides its final list of witnesses ("Final Witness List") and list of evidence ("List of Evidence").

2. Confidential Annex A contains the Final Witness List, including the following information, as directed: (i) the witness's pseudonym; (ii) their dual status (if any); (iii) the type of witness; (iv) the expected relevance of the witness's testimony to the charges; (v) the intended mode of testimony; (vi) the location of testimony (remote via video-link or at head-quarters); (vii) the anticipated requests for protective measures; and (viii) the anticipated requests under Rule 74 of the Rules of Procedure and Evidence ("Rules").² Confidential Annex B sets out the estimated order and timing of the witnesses' testimony. Confidential Annex C contains the Prosecution's List of Evidence, containing exhibits on which the Prosecution may rely at trial.

II. CONFIDENTIALITY

3. Annexes A, B, and C are classified as Confidential as they contain information concerning witnesses and other material which may not be made public at this time.

III. SUBMISSIONS

4. The Prosecution intends to call 147 fact witnesses.³ Four experts will also be called, whom the Parties and Participants have partly agreed to jointly retain, as specified in the Joint Submission on Joint Experts filed contemporaneously.⁴

¹ ICC-01/14-01/18-589.

² ICC-01/14-01/18-589, paras. 14-15.

³ These include 55 witnesses pursuant to rule 68(2) of the Rules of Procedure and Evidence ("Rules"); 67 pursuant to rule 68(3) (excluding the four experts) and 25 fully *viva voce*.

⁴ ICC-01/14-01/18-719-Conf.

5. As previously noted, the summaries of anticipated testimony provided should not be interpreted as a comprehensive and complete account of each witness's expected evidence, but a synopsis of salient aspects thereof. The Prosecution, thus, reserves its right to elicit such other and further evidence as is appropriate under the Statute and Rules of Procedure and Evidence.

6. Similarly, it should be noted that the Final List of Witnesses takes into account the many concerns raised regarding the scope of the trial, and the prevailing logistical issues attendant to the ongoing global pandemic as affects the Court, the Host State, and the states wherein the Prosecution's witnesses are located. It also contemplates the Prosecution's statutory obligation to endeavour to establish the truth as concerns the confirmed charges and the celerity of the proceedings. The Prosecution will continue to assess and review its position to ensure the fair and expeditious conduct of the proceedings.



James Stewart, Deputy Prosecutor

Dated this 9th day of November 2020
At The Hague, The Netherlands