

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **25 August 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 *PROSECUTOR v. ALFRED YEKATOM AND PATRICE-  
EDOUARD NGAÏSSONA***

**Public**

**With Confidential Annex**

**Prosecution's Fifteenth submission of miscellaneous items of evidence *via* the "bar table"**

**Source:** Office of the Prosecutor

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

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## I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) hereby seeks Trial Chamber V’s (“Chamber”) formal recognition of 36 miscellaneous items of evidence submitted from the bar table (“Submitted Items”), in accordance with articles 64(9)(a), 69(3) and 69(4), rule 63(2) of the Rules of Procedure and Evidence (“Rules”), and the Initial Directions on the Conduct of Proceedings (“Initial Directions”).<sup>1</sup>

2. The Submitted Items are *prima facie* relevant to and probative of material issues at trial. They also bear sufficient indicia of reliability on which the Chamber may properly base its article 74 decision. Recognising their formal submission causes no prejudice. To the contrary, it would assist the Chamber’s determination of the truth and ensure an expeditious trial. The relevance and probative value of the individual items is set out in Confidential Annex.

## II. CONFIDENTIALITY

3. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”), Annex is classified as “Confidential” because it reveals the identity of Prosecution witnesses and sources.

## III. SUBMISSIONS

4. Now approaching the end of the presentation of its case in chief, the Prosecution hereby tenders a limited number of evidentiary items. As anticipated in its information on outstanding bar table applications,<sup>2</sup> the Prosecution has reviewed all items on its List of Evidence that have not been submitted to date by way of a thematic bar table or any other means, and has identified these 36 items for submission. There

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<sup>1</sup> ICC-01/14-01/18-631, para. 61.

<sup>2</sup> ICC-01/14-01/18-1916, para. 2.

is no particular theme uniting the Submitted Items; their relevance and probative value is spelt out in the individual entries in Confidential Annex.

5. As required by the Initial Directions,<sup>3</sup> the Prosecution has inquired with the Defence teams as to their respective positions on the items to be tendered. The position of the NGAISSONA Defence is to reserve its right to present its observations in its formal response. The YEKATOM Defence has advised that it did not have enough time in the Prosecution's proposed timeframe (of one week) to provide its position.

#### IV. CONCLUSION

6. For the foregoing reasons, the Prosecution requests that the Chamber recognise as formally submitted the 36 items of evidence listed in Confidential Annex A to this filing.



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**Karim A. A. Khan KC, Prosecutor**

Dated this 25<sup>th</sup> day of August 2023  
At The Hague, The Netherlands

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<sup>3</sup> ICC-01/14-01/18-631, para. 62.