

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **6 October 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, *EX PARTE*, only available to the Prosecution Annexes A to I

**Prosecution's Second Submission of the Accompanying Declarations of Witnesses
P-0461, P-0567, P-1530, P-1598, P-1676, P-1739, P-2133, P-2324 and P-2467, pursuant to
Rule 68(2)(b) of the Rules of Procedure 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

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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

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Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

I. SUBMISSIONS

1. Pursuant to Trial Chamber V's ("Chamber") 6 April and 5 June 2023 decisions on the Prosecution's requests for the formal submission of prior recorded testimonies,¹ the Prosecution annexes the accompanying declarations regarding P-0461, P-0567, P-1530, P-1598, P-1676, P-1739, P-2133, P-2324, and P-2467, pursuant to Rule 68(2)(b)(ii) and (iii) of the Rules of Procedure and Evidence, as follows:²

- P-0461: Certification effectuated by the ICC Registry (Victims and Witnesses Unit) (Annex A);³
- P-0567: Certification effectuated in France (Annex B);⁴
- P-1530: Certification effectuated in the CAR (Annex C);⁵
- P-1598: Certification effectuated in the CAR (Annex D);⁶
- P-1676: Certification effectuated in Chad (Annex E);⁷
- P-1739: Certification effectuated in Chad (Annex F);⁸
- P-2133: Certification effectuated in the CAR (Annex G);⁹
- P-2324: Certification effectuated in the CAR (Annex H);¹⁰
- P-2467: Certification effectuated in The Hague (Annex I).

2. While P-0461, P-1530, P-1598, P-1676, P-2133 and P-2324 have made corrections to their prior recorded testimonies, none of these corrections are substantial or would affect their submission per rule 68(2)(b).

¹ ICC-01/14-01/18-1833-Conf-Corr, pp.101-105 (provisionally recognising the submission of P-0461, P-1676, P-1598, and P-2324); and ICC-01/14-01/18-1907-Conf, pp.59-61 (provisionally recognising the submission of P-0567, P-1530, P-1739, P-2133, and P-2467).

² See rule 68(2)(b)(iii) ("[a]ccompanying declarations must be witnessed by a person authorised to witness such a declaration ... in accordance with the law and procedure of a State).

³ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001758 at 000001-000002.

⁴ The document will be formally disclosed as soon as practicable.

⁵ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001718 at 000001.

⁶ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001781 at 000001.

⁷ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001827 at 000002. The document will be formally disclosed as soon as practicable.

⁸ The document will be formally disclosed as soon as practicable.

⁹ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001778 at 000001.

¹⁰ The non-substantive corrections made by the witness are outlined at CAR-OTP-00001766 at 000004-000005.

II. CONFIDENTIALITY

3. Pursuant to Regulation 23*bis*(1) of the Regulations ("RoC"), this Request is filed with "Confidential *EX PARTE*" Annexes, as it concerns witness-related materials containing information not available to the other Parties to the proceedings. A Confidential Redacted version of the Annexes will be filed contemporaneously.

A handwritten signature in black ink, appearing to be 'K.A.K.', with a horizontal line underneath it. The signature is centered on the page.

Karim A. A. Khan KC, Prosecutor

Dated this 6th day of October 2023
At The Hague, The Netherlands