

Pursuant to Single Judge's instruction, dated 20 November 2023, this document is reclassified as "Public"

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: *ICC-01/14-01/18*
Date: **17 November
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
*THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD
NGAISSONA***

Public with Confidential Annexes 1 and 2

Defence Submission of its Final List of Witnesses and its List of Evidence

Source: Defence of Patrice-Edouard Ngaïssona

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

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**Unrepresented Applicants
(Participation/Reparation)**

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The Office of Public Counsel for the Defence

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REGISTRY

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Other

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I. INTRODUCTION

1. Pursuant to Trial Chamber V's "Further Directions on the Conduct of the Proceedings",¹ the Defence of Mr Patrice-Edouard Ngaïssona hereby submits its final list of witnesses (confidential Annex 1) and its list of evidence (confidential Annex 2).
2. Pursuant to an agreement made with the Defence team for Mr Yekatom, the Defence does not intend to call any witnesses in the hearing week scheduled for December 2023, as well as the hearing weeks scheduled between 15 January and 2 February 2024. In light thereof, the Defence will (i) provide witness statements or summaries of the anticipated testimony for its witnesses; (ii) file applications pursuant to Rule 68(2) and (3) of the Rules, and (iii) complete disclosure of items it intends to use, to the extent not already disclosed, on a rolling basis until 15 December 2023, in accordance with the Decision.
3. Additionally, it should be noted that the Defence's list of evidence set out in Annex 2 takes into account the prevailing time constraints under which the Defence was operating to meet the present 17 November deadline. The Defence is also hindered by the late and ongoing disclosure, by the Prosecution, of relevant Rule 77 material. Therefore, the Defence reserves its right to request leave to add items to its list of evidence, if the addition of such items is necessary in order to secure an adequate and effective defence for Mr Ngaïssona and to assist the Chamber in its truth-finding function.

Respectfully submitted,



Mr Knoop, Lead Counsel for Patrice-Edouard Ngaïssona

Dated this 17 November 2023

At The Hague, the Netherlands.

¹ ICC-01/14-01/18-1892, para. 21. *See also* ICC-01/14-01/18-2181 ("Decision"), pages 5-6.