



Original : English

N°: ICC-01/14-01/22
Date: 01 February 2024

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding Judge
Judge Tomoko Akane
Judge Sergio Gerardo Ugalde Godínez

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM GAWAKA***

Public

**With Public Redacted Annexes 1 , 2, 3, 5, 7, 8, 9, 11, 14, 15, 17, and 19 to 23,
Confidential Annexes 1 to 5, 7 to 9, 11, 12, 14 to 17, 19 to 25 and 27,
Confidential *EX PARTE* Annex 6 and 10 available to the Prosecution and Defence
only,**

**Confidential *EX PARTE* Annex 13 available to the Yekatom and Ngaïssona
Defence, Prosecution and Defence only,
Confidential *EX PARTE* Annex 18 available to the Registry, Prosecution and
Defence only**

and

Confidential *EX PARTE* Annex 26 available to the Registry only

**Fifth Registry Quarterly Report on Decisions issued by way of e-mail from
01 August 2023 until 31 October 2023**

Source : Registry

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

The Office of the Prosecutor

Mr Karim A.A Khan
Mr Mame Mandiaye Niang
Ms Leonie von Braun

Counsel for the Defence

Mr Philippe Larochelle

Legal Representatives of the Victims

Mr Abdou Dangabo Moussa
Ms Marie-Edith Douzima-Lawson
Mr Yaré Fall
Ms Elisabeth Rabesandratana

Unrepresented Victims

Legal Representatives of the Applicants

**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 Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry submits with the present report and its 27 annexes, the public redacted, confidential, and confidential *ex parte* versions of email decisions pursuant to the “Order on the conduct of the confirmation of charges proceedings”¹ (“Order”), issued on 27 June 2022 by Pre-Trial Chamber II (“Chamber”).²

II. Procedural History

2. On 27 June 2022, the Chamber issued the Order, in which it *inter alia* instructed the Registry to file all email decisions on the case record in quarterly reports starting 1 August 2022.³

III. Classification

3. Pursuant to regulation 23*bis*(1) of the Regulations of the Court and regulation 14 of the Regulations of the Registry, some of the annexes are classified as “confidential” because they refer to sensitive information that should not be disclosed to the public or should be known to a very limited number of persons.

IV. Applicable law

4. For the purpose of the present submission, the Registry considered articles 57(3)(c) of the Rome Statute and rule 121(10) of the Rules of Procedure and Evidence.

¹ Pre-Trial Chamber II, “Order on the conduct of the confirmation of charges proceedings”, ICC-01/14-01/22-62, 27 June 2022.

² *Ibid*, para. 54.

³ *Ibid*.

V. Submissions

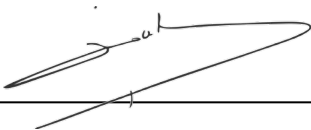
5. In the Order, the Chamber provided criteria for the application of the redactions to the email decisions.⁴
6. By email of 6 March 2023, the Chamber provided supplementary instructions to the Order specifying that it would provide the Registry with the relevant versions of email decisions to be incorporated in the upcoming Registry reports.⁵
7. On 22 January 2024, the Chamber transferred by email to Registry CMS, 27 annexes containing the email decisions to be filed in the record of the case along with a tabulation of the corresponding classifications.⁶
8. Accordingly, the Registry hereby submits the 27 following annexes to the present report:
 - **Annex 1:** Decision dated 02 August 2023 09:23;
 - **Annex 2:** Decision dated 03 August 2023 10:31;
 - **Annex 3:** Decision dated 08 August 2023 17:52;
 - **Annex 4:** Decision dated 09 August 2023 16:46;
 - **Annex 5:** Decision dated 11 August 2023 11:10;
 - **Annex 6:** Decision dated 16 August 2023 14:16;
 - **Annex 7:** Decision dated 16 August 2023 11:13;
 - **Annex 8:** Decision dated 17 August 2023 09:25;
 - **Annex 9:** Decision dated 18 August 2023 16:28;
 - **Annex 10:** Decision dated 24 August 2023 17:07;
 - **Annex 11:** Decision dated 25 August 2023 13:51;
 - **Annex 12:** Decision dated 25 August 2023 15:19;

⁴ *Ibid*, para. 55.

⁵ Pre-Trial Chamber II email sent to Registry CMS, dated 6 March 2023, 10:06.

⁶ Pre-Trial Chamber II email sent to Registry CMS, dated 22 January 2024, 16:06.

- **Annex 13:** Decision dated 01 September 2023 16:26;
- **Annex 14:** Decision dated 08 September 2023 15:44;
- **Annex 15:** Decision dated 27 September 2023 12:55;
- **Annex 16:** Decision dated 27 September 2023 11:28;
- **Annex 17:** Decision dated 28 September 2023 14:50;
- **Annex 18:** Decision dated 03 October 2023 11:00;
- **Annex 19:** Decision dated 03 October 2023 11:38;
- **Annex 20:** Decision dated 17 October 2023 15:08;
- **Annex 21:** Decision dated 17 October 2023 15:09;
- **Annex 22:** Decision dated 19 October 2023 09:55;
- **Annex 23:** Decision dated 19 October 2023 10:39;
- **Annex 24:** Decision dated 25 October 2023 10:26;
- **Annex 25:** Decision dated 26 October 2023 11:41;
- **Annex 26:** Decision dated 30 October 2023 13:10; and
- **Annex 27:** Decision dated 31 October 2023 12:10.



Marc Dubuisson
Director, Division of Judicial Services
On behalf of Mr Osvaldo Zavala Giler, Registrar

Dated this 01 February 2024
At The Hague, The Netherlands