



Original : English

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

Date: 10 June 2021

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 NGAÏSSONA***

Public

With Confidential Annexes 1 to 23

***Confidential Version of Second Registry Report on Email Decisions, Filing on the
Case Record Decisions issued by way of e-mail from 17 September 2020 to 7
December 2020***

Source : Registry

The Office of the Prosecutor

Ms Fatou Bensouda
 Mr James Stewart
 Mr Kweku Vanderpuye

Counsel for Alfred Yekatom

Ms Mylène Dimitri
 Mr Thomas Hannis

Counsel for Patrice-Edouard Ngaïssona

Mr Geert-Jan Alexander Knoops
 Mr Richard Omissé-Namkeamaï
 Ms Marie-Hélène Proulx

Legal Representatives of the Victims

Mr Dmytro Suprun
 Mr Abdou Dangabo Moussa
 Ms Elisabeth Rabesandratana
 Mr Yaré Fall
 Ms Marie-Edith Douzima-Lawson
 Ms Paolina Massidda

Legal Representatives of the Applicants**Unrepresented Victims****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 Peter Lewis

Counsel Support Section**Victims and Witnesses Unit****Detention Section****Victims Participation and Reparations
Section****Other**

I. Introduction

1. Pursuant to the Direction to file confidential versions of the Registry's Periodic Reports on Email Decisions,¹ issued on 13 April 2021 by Trial Chamber V ("the Chamber"), the Registry submits the present report ("Report") and its 23 confidential annexes consisting of the confidential versions of the email decisions previously filed in the Registry Report on the Case Record Decisions issued by way of e-mail.²

II. Procedural History

2. On 26 August 2020, the Chamber issued the Initial Directions instructing the Registry to file all email decisions on the case record in quarterly reports ("the Registry Reports") starting 15 September 2020.³
3. The Chamber directed the parties and participants to: a. frame their requests made by email in a way that make their publicity possible; b. indicate in the email when emails cannot be made public at all.⁴
4. On 16 December 2020, the Registry filed the first Report on Email Decisions.⁵
5. On 17 December 2020, the Registry filed the second Report on Email Decisions.⁶

¹ E-mail sent by Trial Chamber V Communications to the Associate Legal Officers, Parties and Participants, on 13 April 2021 at 15:45.

² Registry Report Filing on the Case Record Decisions issued by way of e-mail from 27 March 2020 to 3 September 2020, ICC-01/14-01/18-775, 16 December 2020.

³ Trial Chamber V, Initial Directions on the Conduct of the Proceedings, ICC-01/14-01/18-631, 26 August 2020, para. 76.

⁴ *Ibid.*, para 78.

⁵ Registry Report Filing on the Case Record Decisions issued by way of e-mail from 27 March 2020 to 3 September 2020, ICC-01/14-01/18-775, 16 December 2020.

⁶ Second Registry Report on Email Decisions, Filing on the Case Record Decisions issued by way of e-mail from 17 September 2020 to 7 December 2020, ICC-01/14-01/18-783, 17 December 2020.

6. On 13 April 2021, the Chamber instructed the Registry to file confidential versions of the Registry Reports simultaneously with the public versions, in order to fully reflect all email decisions on the case record.⁷
7. The Chamber further instructed the Registry to file confidential versions of the previously filed Registry Reports by 15 June 2021.⁸

III. Applicable law

8. For the purpose of the present submission, the Registry considered articles 64(7), 64(10) and 67(1) of the Rome Statute and rule 137 of the Rules of Procedure and Evidence.

IV. Submissions

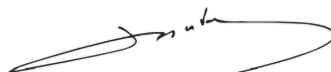
9. The Registry therefore hereby attaches annexes 1 to 23 to the Report containing the confidential versions of the email decisions for the period of 17 September to 7 December 2020.
 - **Annex 1:** Associate Counsel's Request for Withdrawal; 17 September 2020, 13:21.
 - **Annex 2:** Decision on Prosecution Request pursuant to Regulation 35 to vary the Time Limit for the Submission of Applications pursuant to Rule 68 and information on other pending matters; 6 October 2020, 15:00.
 - **Annex 3:** Responses to Page Extension Request ICC-01/14-01/18-686-Conf; 19 October 2020, 16:48.
 - **Annex 4:** Order to provide unredacted statements; 21 October 2020, 19:00.
 - **Annex 5:** Concerning ICC-01/14-01/18-692-Conf; 26 October 2020, 16:39.
 - **Annex 6:** Decision on Prosecution Request ICC-01/14-01/18-668-Conf-Exp/Red; 27 October 2020, 10:30.

⁷ E-mail sent by Trial Chamber V Communications to the Associate Legal Officers, Parties and Participants, on 13 April 2021 at 15:45.

⁸ *Ibid.*

- **Annex 7:** Further Observations on ICC-01/14-01/18-657-Conf, 30 October 2020; 10:10.
- **Annex 8:** Reclassification of filing ICC-01/14-01/18-650-Red, 2 November 2020; 10:21.
- **Annex 9:** Order for Periodic Registry Reports on the Political and Security Situation in the CAR; 4 November 2020, 13:22.
- **Annex 10:** Request for clarification of the Chamber's 11 September 2020 Decision ICC-01/14-01/18-648-Conf-Exp; 4 November 2020, 17:23.
- **Annex 11:** Inadvertent disclosure of information in CAR-OTP-2127-0653; 5 November 2020; 16:02.
- **Annex 12:** Prosecution Request ICC-01/14-01/18-715-Conf; 6 November, 17:31.
- **Annex 13:** Prosecution Request ICC-01/14-01/18-706-Conf-Exp; 6 November 2020, 17:56.
- **Annex 14:** Authorisation for re-disclosure; 6 November, 18:32.
- **Annex 15:** Decision on Prosecution's Request to Delay Disclosure of the identity and materials related to Prosecution Witnesses P-2582, P-2620 and P-2671 pursuant to Rule 81(4) of the Rules of Procedure and Evidence; 6 November 18:43.
- **Annex 16:** Request to Re-Disclose; 9 November 2020, 15:54.
- **Annex 17:** Defence request to interview Prosecution Witness P-2625; 10 November 2020, 14:01.
- **Annex 18:** OTP Request for reclassification - ICC-01/14-01/18-654-Conf 15-09-2020; 11 November 15:04.
- **Annex 19:** Order for Periodic Registry Reports on the Political and Security Situation in the CAR; 19 November 2020, 13:19.
- **Annex 20:** Chamber's direction regarding agreed facts/maps; 26 November 2020; 19:19.
- **Annex 21:** Confidential Redacted version of Yekatom Request to suspend deadline to respond to ICC-01/14-01/18-744-Conf & ICC-01/14-01/18-745-Conf (27 November 2020); 3 December 2020, 18:12.

- **Annex 22:** Periodic review of the Chamber's ruling on release or detention of Mr Yekatom; 7 December 2020, 12:03.
- **Annex 23:** OTP request for short extension of today's filing deadline; 7 December 2020, 15:58.



Marc Dubuisson
Director Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 10 June 2021

At The Hague, The Netherlands