



Original : English

N°: ICC-01/14-01/18

Date: 27 July 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 Public Annex 1 and
Confidential Annex 2**

**Registry's Report on the Evidence recognised as formally submitted by the
Chamber for witness P-0287**

Source: Registry

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, QC
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-Namkeamäi

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. The Registry submits the present report and its annexes consisting of items recognised as formally submitted as evidence, pursuant to the “Initial Directions on the Conduct of the Proceedings” (“Directions”),¹ issued on 26 August 2020 by Trial Chamber V (“Chamber”).

II. Procedural history

2. On 26 August 2020, the Presiding Judge issued the Directions which adopted, among other guidelines, provisions related to the submission of evidence by email.² The Registry was directed to file in the record of the case reports indicating which items have been formally submitted by all participants in relation to each witness who testifies.³
3. On 24 and 25 March 2021, the Prosecution called its third witness.⁴ After the conclusion of the examination of witness P-0287, parties formally submitted items used during the hearings as instructed in the conduct of the proceedings.
4. On 14 June 2021, the Chamber issued the decision on items of evidence recognised as formally submitted for witness P-0287 via email.⁵ Pursuant to the Directions, the Registry was instructed to apply redactions as appropriate to the emails enclosed in Annex 1 to the filing.⁶

¹ Trial Chamber V, “Initial Directions on the Conduct of the Proceedings”, 26 August 2020, ICC-01/14-01/18-631, para 63.

² *Ibid.*, para. 63(i).

³ *Idem.*, para. 63(v).

⁴ Transcripts of 24 and 25 March 2021, ICC-01/14-01/18-T-020-RT-ENG and ICC-01/14-01/18-T-021-RT-ENG.

⁵ Email sent by Trial Chamber V Communications on 14 June 2021 at 12:21.

⁶ Trial Chamber V, “Initial Directions on the Conduct of the Proceedings”, 26 August 2020, ICC-01/14-01/18-631, para. 63(v).

5. On 22 June 2021, the Chamber instructed the Registry to additionally file confidential versions of the Registry Reports, in order to fully reflect the emails on the case record. The Chamber further instructed that these confidential versions should be filed simultaneously with the public version.⁷

III. Applicable law

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

IV. Submission

7. In order to enable the parties and participants to suggest specific additional redactions to public Annex 1, the Registry followed the procedure that was adopted in the Directions for the purposes of the email decisions⁸.
8. The Registry liaised with the Office of the Prosecutor ("Prosecution"), the Defence for Mr Yekatom, the Defence for Mr Ngaissona, the Legal Representatives of Victims for the Former Child Soldiers ("CLRV1") and the Legal Representatives of Victims of the Other Crimes ("CLRV2") by email.⁹ Redaction proposals were received and considered.¹⁰
9. Accordingly, the Registry applied redactions to the emails set forth in the following public annex: 14/06/2021, "Decision on Submitted Materials for P-0287" at 12h20.

⁷ E-mail sent by Trial Chamber V Communications to the Associate Legal Officers, Parties and Participants, on 22 June 2021 at 09:31.

⁸ Trial Chamber V, "Initial Directions on the Conduct of the Proceedings", *op. cit.*, para 77.

⁹ Email sent by the Court Management Section on 21 June 2021 at 15:32 containing Annex 1.

¹⁰ The Registry received response from CLRV2 on 22 June 2021 at 10:51; CLRV1 on 22 June 2021 at 10:15; the Defence for Mr Yekatom on 13 July 2021 at 14:31; the Defence for Mr Ngaissona on 22 June 2021 at 10:07; and the Prosecution on 22 June 2021 at 17:35 with no proposals for further redactions.

10. In addition, the Registry hereby attaches confidential Annex 2:

- **Annex 2:** email sent on 14/06/2021, "Decision on Submitted Materials for P-0287" at 12:20.

p.p.



Marc Dubuisson, Director, Division of Judicial Services

On behalf of Peter Lewis, Registrar

Dated this 27 July 2021

At The Hague, The Netherlands