

ANNEX 1
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Version

From: Trial Chamber V Communications
Sent: 01 November 2022 12:55
To: OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaïssona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Associate Legal Officer-Court Officer Chamber Decisions Communication; Trial Chamber V Communications
Cc:
Subject: Decision on Submitted Materials for P-1193
Attachments: Ngaïssona Defence Submission of Evidence following P-1193's testimony; Yekatom Defence Submission of evidence following P-1193's testimony

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Counsel, dear colleagues from the Registry,

The Chamber takes note of the emails on the submission of evidence following the examination of P-1193 by the Ngaïssona Defence (*see attached* email from the Ngaïssona Defence, 5 May 2022, at 15:06), the Yekatom Defence (*see attached* email from the Yekatom Defence, 5 May 2022, at 15:32), and the Prosecution (*see below* email from the Prosecution, 5 May 2022, at 15:54), as well as the Ngaïssona Defence's objections thereto (*see below* email from the Ngaïssona Defence, 9 May 2022, at 18:25).

At the outset, the Chamber notes that items CAR-OTP-2065-0436, CAR-OTP-2107-1539, CAR-OTP-2084-0049, CAR-OTP-2101-3611, CAR-OTP-2042-4677, CAR-OTP-2122-8916, CAR-D30-0008-0086, CAR-OTP-2122-8957, CAR-OTP-2012-0409, CAR-D29-0006-1180, CAR-OTP-2074-3252, CAR-OTP-2001-4867, CAR-OTP-2023-1990, CAR-OTP-2122-9420, CAR-OTP-2023-2227, CAR-D29-0006-0985, CAR-OTP-2059-0024, CAR-OTP-2101-3611, CAR-D29-0010-0011, CAR-OTP-2001-3811 and CAR-OTP-2065-4898 have already been recognised as submitted, and therefore it need not rule on them again.

The Chamber takes note of the Ngaïssona Defence's objections with regard to the *prima facie* relevance and probative value of item CAR-OTP-2084-0049, and will address them in the context of its judgment deliberation.

In light of the above and in the absence of any procedural bars, the Chamber recognises as formally submitted the following items:

Doc ID	Title	Type
CAR-OTP-2065-0951	AA020801.MXF	Audio / Video Material
CAR-OTP-2122-2297	Traduction / Transcription de document audio/vidéo / AA020801.MXF	Translation - FRA
CAR-OTP-2065-0730	AA015301.MXF	Audio / Video Material
CAR-OTP-2130-1134	Traduction / Transcription de document audio/vidéo / AA015301.MXF	Translation - FRA
CAR-OTP-2065-3188	AA007901.MXF	Audio / Video Material
CAR-OTP-2107-1547	Transcription de document audio/vidéo / AA007901.MXF	Transcript
CAR-OTP-2065-3192	AA008001.MXF	Audio / Video Material
CAR-OTP-2127-4547	Traduction / Transcription de document audio/vidéo / AA008001.MXF	Translation - FRA
CAR-OTP-2023-2935	M2U00258.MPG	Audio / Video Material

CAR-OTP-2107-1521	Transcription de document audio/vidéo / M2U00258.MPG	Transcript
CAR-OTP-2002-0371	INFLUENCE ET IMPLICATION D'IDRISS DEBY EN CENTRAFRIQUE DE MI-2012 A JANVIER 2014	Report
CAR-D29-0008-0005	Video Getty Image 649176428	Transcript
CAR-D29-0006-1172	Transcript of CAR-D29-0008-0005	Transcript
CAR-OTP-2032-0063	NOTE / Inefficacité de la MINUSCA	Correspondence - Letter
CAR-OTP-2042-4613	Transcription du fichier audio CAR-OTP-2042-4613	Transcript
CAR-OTP-2084-1303	PB001801.mov	Audio / Video Material
CAR-OTP-2122-2362	Traduction / Transcription de document audio/vidéo / PB001801.mov	Translation-FRA
CAR-OTP-2084-1347	PB002401.mov	Audio / Video Material
CAR-D29-0006-1175	Transcription de CAR-OTP-2084-1347	Transcript
CAR-OTP-2107-1191	CAR in grip of fear and violence	Audio / Video Material
CAR-D29-0006-0933	Transcription of CAR-OTP-2107-1191	Transcript
CAR-D29-0002-0100	Belvia Nago invite ses pairs ex-antiblaka à se faire enregistrer pour le pré DDRR	Media / press article
CAR-D29-0002-0102	Centrafrique : Les ex combattants Anti Balaka de Sékia enregistrés dans le cadre du pré-DDR	Media / press article
CAR-D29-0002-0103	Centrafrique : La Minusca appuie la réinsertion des Antibalaka dans des activités génératrices de revenus	Media / press article
CAR-OTP-2110-1075	23.jpg	Photograph/s

In addition, the Chamber confirms that the requirements of Rule 68(3) of the Rules have been met for the following items:

Doc ID	Title	Type
CAR-OTP-2045-0048	DÉCLARATION DE TÉMOIN	ICC Statement - General
CAR-OTP-2051-0353	Translation of Evidence / WITNESS STATEMENT / DÉCLARATION DE TÉMOIN	ICC Statement - Translation - ENG
CAR-OTP-2135-2773	DÉCLARATION DE TÉMOIN	ICC Statement - General
CAR-OTP-2039-0024	Contract / Agreement	Annex D / ACCORD SUR LES PRINCIPES DE DESARMEMENT DEMOBILISATION REINTEGRATION ET RAPATRIEMENT (DDRR) ET

Doc ID	Title	Type
		D'INTEGRATION DANS LES CORPS EN UNIFORME DE L'ETAT CENTRAFRICAIN
CAR-OTP-2039-0071	Annex I / BULLETIN No. 3 / No.578/CAB/TGI/BBO2015	Legal, Administration and Court document - non ICC
CAR-OTP-2039-0063	Annex G / LISTE DES MILITAIRES	List / table
CAR-OTP-2039-0050	Annex F / PROJET REDUCTION VIOLENCE COMMUNAUTAIRE - BANGUI	List / table
CAR-OTP-2039-0067	Annex H / No. 0587/MAEIAF/DIRCAB/DGAJA/DAJC/SAJ	Correspondence - Letter
CAR-OTP-2057-0230	Translation of Evidence / Annex H / No.0587/MAEIAF/DIRCAB/DGAJA/DAJC	Translation - ENG
CAR-OTP-2039-0072	[REDACTED] [REDACTED] [REDACTED] RESPONSABLE DES EX ANTIBALAKA AXE SUD, CAPORAL CHEF Alfred YEKATOM ROMBHOT	List / table
CAR-OTP-2039-0031	LISTE DES ANTIBALAKAS BANGUI - [REDACTED]	List / table
CAR-OTP-2039-0018	Annex A / Map of Bangui with notation of southern Anti-Balaka areas	Map
CAR-OTP-2039-0019	Annex B / COMPOSITION DU BUREAU DE LA COORDINATION NATIONALE / No./CN/CD.14	List / table
CAR-OTP-2039-0020	Annex C / ORDRE DE MISSION / No. 0169/ATB/CN/CE.15	Internal guidelines / instruction / orders

The Registry is directed to proceed in accordance with paragraph 63(v) of the Initial Directions, ICC-01/14-01/18-631.

Kind regards, TC V

From: [REDACTED]
Sent: 09 May 2022 18:25
To: [REDACTED] Trial Chamber V Communications [REDACTED]
[REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team
[REDACTED]; V44 LRV Team OPCV [REDACTED] V44 LRV Team
[REDACTED] V45 LRV Team [REDACTED] OTP CAR IIB Case Management
[REDACTED] OTP CAR IIB Operations [REDACTED]
[REDACTED] Associate Legal Officer-
Court Officer [REDACTED]
[REDACTED]
Subject: RE: Prosecution Submission of evidence following the examination of P-1193

Dear Trial Chamber V,

The Ngaissona Defence respectfully objects to the submission of the following item : CAR-OTP-2084-0049. When shown the document by the Prosecution, the witness said that the document was created before the unification of the coordination so he cannot provide any information on the document and refrained from giving any comment on

the substance of the document. (T-124-ENG RT, pp 69-71, lines 17-1). Therefore, the Prosecution did not establish *prima facie* relevance and probative value of the document which bars its formal submission into evidence through this specific witness. In addition, another version of this document was already formally submitted as ERN CAR-OTP-2025-0380 ; CAR-OTP-2060-0590 and CAR-OTP-CAR-OTP-2084-0158. Therefore, there is no added value of having this version submitted through witness P-1193, nor prejudice to the Prosecution if the document is not formally submitted.

Furthermore, while the Defence does not object to the submission of document CAR-OTP-2059-0024, it must be noted that this specific document is not signed and the witness did not provide any information on the circumstance of the drafting of the document. Therefore, the Defence submits that the probative value of the document should be evaluated accordingly and respectfully requests the Chamber to take these elements into account at the time of conducting its holistic assessment of the evidence during the deliberation of the judgment. In addition, the source of the document is witness P-1719 who is scheduled to testify as witness n. 42 in the Prosecution's most recent anticipated order (email of Friday 29/04/2022 at 14:39) and who is better placed to provide information on the document. The Defence therefore reserves its right to further complement its observations following the testimony of P-1719 and in light of the information he will provide on the said document.

Respectfully yours,

[REDACTED]

From: [REDACTED]
Sent: 05 May 2022 15:54
To: Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team OPCV [REDACTED] V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED] OTP CAR IIB Case Management [REDACTED] OTP CAR IIB Operations [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]
Subject: Prosecution Submission of evidence following the examination of P-1193

Dear Trial Chamber V,

In accordance with paragraph 63(i) of the *Initial Directions on the Conduct of the Proceedings* (ICC-01/14-01/18-631), the Prosecution submits the documents listed below relating to the testimony of witness P-1193. The Prosecution requests that these documents be recognised as formally submitted.

Please note that, as indicated below in the "Request Submission" column, several items used with P-1193 were already formally submitted in the case.

i. Documents discussed with the witness during the course of his examination by the Prosecution:

Count	Doc ID	WIT-Used through	Document Type	EVD - Date	EVD – Partic Tendering
1.	CAR-OTP-2001-3405	P-1193	Contract / Agreement	28/04/2022	OTP
2.	CAR-OTP-2001-4818	P-1193	Media / press article	28/04/2022	OTP
3.	CAR-OTP-2025-0428	P-1193	Contract / Agreement	28/04/2022	OTP
4.	CAR-OTP-2065-0436	P-1193	Audio / Video Material	28/04/2022	OTP
5.	CAR-OTP-2065-0730	P-1193	Audio / Video Material	28/04/2022	OTP
6.	CAR-OTP-2065-0951	P-1193	Audio / Video Material	28/04/2022	OTP

7.	CAR-OTP-2065-3188	P-1193	Audio / Video Material	28/04/2022	OTP
8.	CAR-OTP-2065-3192	P-1193	Audio / Video Material	28/04/2022	OTP
9.	CAR-OTP-2084-0049	P-1193	Media / press article	28/04/2022	OTP
10.	CAR-OTP-2084-1331	P-1193	Audio / Video Material	28/04/2022	OTP
11.	CAR-OTP-2101-3611	P-1193	Media / press article	28/04/2022	OTP
12.	CAR-OTP-2107-1539	P-1193	Transcript	28/04/2022	OTP
13.	CAR-OTP-2107-1547	P-1193	Transcript	28/04/2022	OTP
14.	CAR-OTP-2107-1586	P-1193	Transcript	28/04/2022	OTP
15.	CAR-OTP-2122-2297	P-1193	Translation - FRA	28/04/2022	OTP
16.	CAR-OTP-2127-4547	P-1193	Translation - FRA	28/04/2022	OTP
17.	CAR-OTP-2130-1134	P-1193	Translation - FRA	28/04/2022	OTP
18.	CAR-OTP-2135-2773	P-1193	ICC Statement - General	28/04/2022	OTP

- ii. 13 items submitted under Rule 68(3) at the start of P-1193's testimony (ICC-01/14-01/18-1186-Conf, paras. 10-13; ICC-01/14-01/18-T-124 ENG RT, p. 18):

Count	Doc ID	WIT-Used through	Document Type	EVD - Date	EVD - Participant Tendering	Request Submission
1.	CAR-OTP-2045-0048	Rule 68(3)	ICC Statement - General	28/04/2022	OTP	Yes
2.	CAR-OTP-2051-0353	Rule 68(3)	ICC Statement - Translation - ENG	28/04/2022	OTP	Yes
3.	CAR-OTP-2039-0018	Rule 68(3)	Map	28/04/2022	OTP	Yes
4.	CAR-OTP-2039-0019	Rule 68(3)	List / table	28/04/2022	OTP	Yes
5.	CAR-OTP-2039-0020	Rule 68(3)	Internal guidelines / instruction / orders	28/04/2022	OTP	Yes
6.	CAR-OTP-2039-0024	Rule 68(3)	Contract / Agreement	28/04/2022	OTP	Yes
7.	CAR-OTP-2039-0031	Rule 68(3)	List / table	28/04/2022	OTP	Yes
8.	CAR-OTP-2039-0050	Rule 68(3)	List / table	28/04/2022	OTP	Yes
9.	CAR-OTP-2039-0063	Rule 68(3)	List / table	28/04/2022	OTP	Yes
10.	CAR-OTP-2039-0067	Rule 68(3)	Correspondence - Letter	28/04/2022	OTP	Yes

11.	CAR-OTP-2057-0230	Rule 68(3)	Translation - ENG	28/04/2022	OTP	Yes
12.	CAR-OTP-2039-0071	Rule 68(3)	Legal, Administration and Court document - non ICC	28/04/2022	OTP	Yes
13.	CAR-OTP-2039-0072	Rule 68(3)	List / table	28/04/2022	OTP	Yes

- iii. The Prosecution seeks to submit the following item used during the course of NGAISSONA's cross-examination of witness P-1193, to the extent that this item is not submitted by the NGAISSONA and YEKATOM Defence :

Count	Doc ID	WIT-Used through	Document Type	EVD - Date	EVD – Participant Tendering	Request Submission
1.	CAR-D30-0008-0086	P-1193	Map	29/04/2022	OTP	Yes
2.	CAR-OTP-2023-2935	P-1193	Audio / Video Material	29/04/2022	OTP	Yes
3.	CAR-OTP-2032-0063	P-1193	Correspondence - Letter	29/04/2022	OTP	Yes
4.	CAR-OTP-2107-1521	P-1193	Transcript	29/04/2022	OTP	Yes
5.	CAR-D29-0008-0005	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
6.	CAR-OTP-2002-0371	P-1193	Report	02/05/2022	OTP	Yes
7.	CAR-OTP-2023-1990	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
8.	CAR-OTP-2023-2227	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
9.	CAR-OTP-2042-4613	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
10.	CAR-OTP-2059-0024	P-1193	Organisation diagram	02/05/2022	OTP	Yes
11.	CAR-OTP-2084-1303	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
12.	CAR-OTP-2084-1347	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
13.	CAR-OTP-2107-1191	P-1193	Audio / Video Material	02/05/2022	OTP	Yes
14.	CAR-OTP-2122-2362	P-1193	Translation - FRA	02/05/2022	OTP	Yes
15.	CAR-OTP-2122-9420	P-1193	Transcript	02/05/2022	OTP	Yes
16.	CAR-D29-0002-0103	P-1193	Media / press article	04/05/2022	OTP	Yes
17.	CAR-OTP-2110-1075	P-1193	Photograph/s	04/05/2022	OTP	Yes
18.	CAR-OTP-2001-3811	P-1193	Media / press article	04/05/2022	OTP	Yes

Kind regards,

On behalf of OTP Trial Team

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From: [REDACTED]
Sent: 05 May 2022 15:06
To: Trial Chamber V Communications
Cc: Associate Legal Officer-Court Officer; D30 Ngaïssona Defence Team; D29 Yekatom Defence Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Subject: Ngaïssona Defence Submission of Evidence following P-1193's testimony

Dear Trial Chamber V,

Pursuant to paragraph 63(i) of the *Initial Directions on the Conduct of the Proceedings* (ICC-01/14-01/18-631), the Defence for Mr. Ngaïssona requests the submission of the following items used during P-1193's questioning by the non-calling party:

Count	Document ID	Title	Document Type	Confidentiality Level	WIT - Used Through
1	CAR-D30-0008-0086	Screenshot Google Maps	Map	Confidential	CAR-OTP-P-0876 CAR-OTP-P-0889 CAR-OTP-P-1193
2	CAR-OTP-2023-2935	M2U00258.MPG	Audio / Video Material	Public	CAR-OTP-P-1193
3	CAR-OTP-2042-4677	AGORA La Paix 230514.mp3	Audio / Video Material	Public	CAR-OTP-P-0475 CAR-OTP-P-0888 CAR-OTP-P-1193
4	CAR-OTP-2107-1521	Transcription de document audio/vidéo / M2U00258.MPG	Transcript	Public	CAR-OTP-P-1193
5	CAR-OTP-2122-8916	Traduction / Transcription de document audio / vidéo / AGORA La Paix 230514.mp3	Translation - FRA	Public	CAR-OTP-P-0475 CAR-OTP-P-0888 CAR-OTP-P-1193

Respectfully yours,

[REDACTED]
Case manager- Ngaïssona Defence

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From: [REDACTED]
Sent: 05 May 2022 15:32
To: Trial Chamber V Communications
Cc: D30 Ngaissona Defence Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; D29 Yekatom Defence Team; Associate Legal Officer-Court Officer; [REDACTED]
Subject: Yekatom Defence Submission of evidence following P-1193's testimony

Dear Trial Chamber V,

In accordance with paragraph 63(i) of the *Initial Directions of the Conduct of the Proceedings* (ICC-01/14-01/18-631), the Defence of Mr Yekatom requests the formal submission of the following items used during P-1193's testimony :

Count	ERN	Title	Confidentiality Level	EVD – Date Used	WIT – Used Through
1	CAR-OTP-2001-4867	Bangui : Les Anti-balaka se choisissent une nouvelle coordination générale	Public	12/7/2021 12/10/2021 12/14/2021 5/2/2022	CAR-OTP-P-0876 CAR-OTP-P-1193
2	CAR-OTP-2012-0409	Video 104 / Reconciliation Radio Show-Central African Republic	Public	4/11/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-1193
3	CAR-OTP-2023-2227	A.G ANTI BALAKA FR.mpg	Public	2/23/2022 4/12/2022 5/2/2022	CAR-OTP-P-0446 CAR-OTP-P-0888 CAR-OTP-P-1193
4	CAR-OTP-2084-1303	PB001801.mov	Public	5/2/2022	CAR-OTP-P-1193
5	CAR-OTP-2065-4898	AA000901.MXF	Public	4/11/2022 5/4/2022	CAR-OTP-P-0888 CAR-OTP-P-1193
6	CAR-OTP-2023-1990	RENCONTRE MINI COM ANTI BALAKA FR.mpg	Public	11/3/2021 12/10/2021 2/24/2022 4/11/2022 5/2/2022	CAR-OTP-P-0446 CAR-OTP-P-0808 CAR-OTP-P-0876 CAR-OTP-P-0888 CAR-OTP-P-1193
7	CAR-OTP-2084-1347	PB002401.mov	Public	5/2/2022	CAR-OTP-P-1193
8	CAR-OTP-2107-1191	CAR in grip of fear and violence	Public	5/2/2022	CAR-OTP-P-1193

9	CAR-OTP-2122-2362	Traduction / Transcription de document audio/vidéo / PB001801.mov	Public	5/2/2022	CAR-OTP-P-1193
10	CAR-OTP-2110-1075	23.jpg	Confidential	5/4/2022	CAR-OTP-P-1193
11	CAR-OTP-2122-8957	Transcription de document audio / vidéo / AGORA La Paix 230514.mp3	Public	4/11/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-1193
12	CAR-OTP-2122-9420	Transcription de document audio / vidéo / RENCONTRE MINI COM ANTI BALAKA FR.mpg	Public	11/3/2021 12/10/2021 2/24/2022 4/11/2022 5/2/2022	CAR-OTP-P-0446 CAR-OTP-P-0808 CAR-OTP-P-0876 CAR-OTP-P-0888 CAR-OTP-P-1193
13	CAR-OTP-2101-3611	Anti-Balaka Communiqué de Presse No. 21 / No. 022/ATB/14	Public	11/1/2021 11/2/2021 11/3/2021 1/31/2022 2/7/2022 2/22/2022 4/12/2022 4/13/2022 4/28/2022 5/2/2022	CAR-OTP-P-0446 CAR-OTP-P-0808 CAR-OTP-P-0888 CAR-OTP-P-0992 CAR-OTP-P-1193
14	CAR-D29-0006-0933	Transcription of CAR-OTP-2107-1191	Public	5/2/2022	CAR-OTP-P-1193
15	CAR-D29-0008-0005	Video Getty Image 649176428	Public	5/2/2022	CAR-OTP-P-1193
16	CAR-D29-0006-1172	Transcript of CAR-D29-0008-0005	Public	5/2/2022	CAR-OTP-P-1193
17	CAR-D29-0006-1175	Transcription de CAR-OTP-2084-1347	Public	5/2/2022	CAR-OTP-P-1193
18	CAR-D29-0006-0985	Transcription of CAR-OTP-2023-2227	Public	4/12/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-1193
19	CAR-D29-0002-0100	Belvia Nago invite ses pairs ex-antibalaka à se faire enregistrer pour le pré DDRR	Public	5/4/2022	CAR-OTP-P-1193
20	CAR-D29-0006-1180	Transcription of CAR-OTP-2012-0409	Public	4/11/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-1193

21	CAR-D29-0010-0011	[REDACTED]	Confidential	4/12/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-1193
22	CAR-D29-0002-0102	Centrafrique : Les ex combattants Anti Balaka de Sékia enregistrés dans le cadre du pré-DDR	Public	5/4/2022	CAR-OTP-P-1193
23	CAR-D29-0002-0103	Centrafrique : La Minusca appuie la réinsertion des Antibalaka dans des activités génératrices de revenus	Public	5/4/2022	CAR-OTP-P-1193
24	CAR-OTP-2042-4677	AGORA La Paix 230514.mp3	Public	12/17/2021 4/11/2022 4/29/2022 5/2/2022	CAR-OTP-P-0475 CAR-OTP-P-0888 CAR-OTP-P-1193
25	CAR-OTP-2059-0024	ORGANIGRAMME DU BUREAU DE COORDINATION	Public	3/14/2022 4/12/2022 5/2/2022	CAR-OTP-P-0888 CAR-OTP-P-0889 CAR-OTP-P-1193

Kind regards,

[REDACTED]
Legal Consultant – Yekatom Defence

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