

**ANNEX 5**  
**Public Redacted**  
**Version**

**From:** Trial Chamber V Communications  
**Sent:** 11 August 2023 12:20  
**To:** Court Management-Court Records; D34 Mokom Defence Team  
**Cc:** Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications; Pre-Trial Chamber II communications; OTP CARIIB-MM Communications; OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403  
**Attachments:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

[ICC] RESTRICTED

Dear colleagues from the Registry,  
 Dear Counsel,

The Single Judge notes the Mokom Defence's request regarding access to the confidential version of Pre-Trial Chamber II's 'Corrected version of 'Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaissona', ICC-01/14-01/18-403-Conf-Corr (the 'Decision').

In view of the Single Judge, no redactions in the Decision appear necessary vis-à-vis the Mokom Defence. Accordingly, the Single Judge grants the request and authorises the Registry to provide the Mokom Defence access to the Decision.

The Chamber recalls that the Mokom Defence continues to remain bound by confidentiality obligations pursuant to Article 8 of the Code of Professional Conduct for Counsel and the protocol on handling of confidential information in the *Mokom* Case (see ICC-01/14-01/18-1976, para. 30).

Kind regards,

TC V

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**From:** [REDACTED]  
**Sent:** 11 August 2023 11:27  
**To:** Trial Chamber V Communications [REDACTED]  
**Cc:** Pre-Trial Chamber II communications [REDACTED]; OTP CARIIB-MM Communications [REDACTED] Associate Legal Officer-Court Officer [REDACTED]; OTP CAR IIB [REDACTED] D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED]; D34 Mokom Defence Team [REDACTED]  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear Trial Chamber V,

I am kindly following up in relation to the Mokom Defence access to the confidential version of Pre-Trial Chamber II's 'Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaissona' - ICC-01/14-01/18-403.

The Mokom Defence conducted consultations with the parties in the Yekatom and Ngaissona case, which all indicated their agreement that the Mokom Defence be granted access to the confidential version of the Pre-Trial Chamber's Decision. The *inter partes* discussions are attached to this email.

As no access to the confidential version of the Decision has been granted by the Registry to the Mokom Defence so far, the Mokom Defence would be grateful if the Chamber could order the Registry to provide access to the confidential version of the Decision, which is material for the Mokom Defence preparation of the confirmation hearing scheduled on 22 August 2023 in the *Mokom case*.

Kind regards,

[REDACTED]  
Legal Assistant  
Defence team of Maxime Mokom

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**From:** Maton, Julien  
**Sent:** 08 August 2023 12:13  
**To:** Trial Chamber V Communications [REDACTED]  
**Cc:** Pre-Trial Chamber II communications [REDACTED]; [REDACTED]  
[REDACTED] Associate Legal Officer-Court Officer [REDACTED]  
[REDACTED]; OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team  
[REDACTED] D30 Ngaissona Defence Team  
[REDACTED] D34 Mokom Defence Team [REDACTED]  
**Subject:** Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear Trial Chamber V,  
Dear Pre-Trial Chamber II,

I'm writing on behalf of the Mokom Defence regarding the Mokom Defence access to the confidential version of Pre-Trial Chamber II's 'Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona' - ICC-01/14-01/18-403.

The Mokom Defence only has access to the public redacted version of the Decision and redactions have been applied on various parts of the Decision which are relevant for the Mokom Defence preparation of the confirmation hearing scheduled on 22 August 2023 in the *Mokom case*.

Pursuant to Trial Chamber V's Instructions (ICC-01/14-01/18-1552, paras 9-11), the Prosecution and Yekatom/Ngaissona Defence teams informed the Mokom Defence about their agreement to the Mokom Defence access to the confidential version of Pre-Trial Chamber's Decision ICC-01/14-01/18-403. The *inter partes* discussions are attached to this email.

The Mokom Defence therefore respectfully requests Trial Chamber V to order the Registry to provide to the Mokom Defence access to the confidential version of Pre-Trial Chamber's Decision ICC-01/14-01/18-403.

Kind regards,

[REDACTED]  
Legal Assistant  
Defence team of Maxime Mokom

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 08 August 2023 10:52  
**To:** OTP CAR IIB  
**Cc:** D34 Mokom Defence Team; [REDACTED]; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; Vanderpuye, Kweku; [REDACTED]  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear Yassin,

Thank you very much for confirming that the Prosecution does not oppose the Mokom Defence's access to the confidential version of Pre-Trial Chamber's Decision ICC-01/14-01/18-403.

Kind regards,

[REDACTED]

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**From:** OTP CAR IIB [REDACTED]  
**Sent:** 08 August 2023 09:58  
**To:** [REDACTED]  
**Cc:** D34 Mokom Defence Team [REDACTED]; [REDACTED]; OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; Vanderpuye, Kweku [REDACTED]  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

[ICC] RESTRICTED

Dear [REDACTED]

Thank you for your email.

The Prosecution does not oppose to Mokom Defence access to Confidential Decision ICC-01/14-01/18-403.

Best regards,

[REDACTED]

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**De :** [REDACTED]  
**Envoyé :** mardi 8 août 2023 09:49  
**À :** [REDACTED]; OTP CAR IIB [REDACTED]; [REDACTED]; D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; Vanderpuye, Kweku [REDACTED]  
**Cc :** D34 Mokom Defence Team [REDACTED]  
**Objet :** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear Prosecution,

I'm following up regarding the provision of a confidential version of Pre-Trial Chamber's Decision ICC-01/14-01/18-403 to the Mokom Defence.

As stated previously, this material is relevant for the preparation of the Mokom Defence for the confirmation hearing scheduled on 22 August 2023. We would therefore be grateful if the Prosecution could acknowledge receipt of the Defence's query and provide an expedited response on the matter.

Kind regards,

[REDACTED]  
Legal Assistant  
Defence team of Maxime Mokom

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**From:** [REDACTED]  
**Sent:** 04 August 2023 19:26  
**To:** [REDACTED] OTP CAR IIB [REDACTED]  
[REDACTED] D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team  
[REDACTED]  
**Cc:** D34 Mokom Defence Team [REDACTED]  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear [REDACTED],

Thank you very much for providing the Ngaissona Defence's views on the matter, it's duly noted.

Could the Prosecution acknowledge receipt of the Mokom Defence's query and indicate whether it will be in a position to provide a response by Monday 7 August?

Thank you very much for your assistance.

Kind regards,

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**From:** [REDACTED]  
**Sent:** 04 August 2023 15:32  
**To:** [REDACTED]; OTP CAR IIB [REDACTED]  
[REDACTED] D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team  
[REDACTED]  
**Cc:** D34 Mokom Defence Team [REDACTED]  
**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear [REDACTED],  
dear Prosecution,

Thanks for the email, we have reviewed the confirmation decision and we do not object to providing the confidential version to the Mokom Defence.

Have a good weekend.

Kind regards,

[REDACTED]

**From:** [REDACTED] >

**Sent:** 03 August 2023 15:52

**To:** [REDACTED]; OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team  
[REDACTED]; D30 Ngaïssona Defence Team [REDACTED]

**Cc:** D34 Mokom Defence Team [REDACTED]

**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Chère [REDACTED],

Je vous remercie de nous avoir fourni la position de l'équipe Yekatom aussi rapidement, c'est bien noté. Au vu de l'approche de l'audience de confirmation des charges dans notre affaire, notre équipe serait reconnaissante de recevoir les points de vue de l'Accusation et de l'équipe Ngaïssona si possible pour ce vendredi 4 août *COB*.

Merci de votre collaboration et compréhension.

Cordialement,

[REDACTED]

**From:** [REDACTED]

**Sent:** 03 August 2023 15:40

**To:** [REDACTED] OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team  
[REDACTED] D30 Ngaïssona Defence Team [REDACTED]

**Cc:** D34 Mokom Defence Team [REDACTED]

**Subject:** RE: Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Cher [REDACTED],

Du côté de l'équipe Yekatom, nous ne voyons aucun inconvénient à ce que votre équipe ait accès à la version confidentielle de la Décision de confirmation des charges.

Cordialement.

[REDACTED]

**Conseil associée**

**Equipe de Défense de M. Alfred YEKATOM**

**Extension** [REDACTED]

**De** [REDACTED]

**Envoyé :** mercredi 2 août 2023 19:10

**À :** OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team [REDACTED]

D30 Ngaïssona Defence Team [REDACTED]

**Cc :** D34 Mokom Defence Team [REDACTED]

**Objet :** Mokom Defence access to Confidential Decision ICC-01/14-01/18-403

Dear Prosecution and Yekatom/Ngaïssona Defence teams,

We are contacting you in relation to the Mokom Defence's access to the confidential version of the Pre-Trial Chamber's Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona - ICC-01/14-01/18-403.

We have never been granted access to the confidential version of the Decision. Redactions have been applied on various parts of the Decision which are relevant for the Mokom Defence preparation of the confirmation hearing scheduled on 22 August 2023.

As our access to confidential filings from your case record is contingent on consultations between the Prosecution and the Yekatom/Ngaissona Defence teams (ICC-01/14-01/18-1552, paras 9-11), we would be grateful if you could let us know your views.

Kind regards,



Legal Assistant

Defence team of Maxime Mokom

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