

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: **15 December 2023**

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 Annex 1

**Addendum to the Defence Submission of its Final List of Witnesses and List of
Evidence**

Source: Defence of Patrice-Edouard Ngaïssona

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

The Office of the Prosecutor

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Unrepresented Victims

Unrepresented

(Participation/Reparation)

Applicants

The Office of Public Counsel for Victims

**The Office of Public Counsel for the
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Mr Osvaldo Zavala Giler

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Victims and Witnesses Unit

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Section Other**

I. INTRODUCTION

1. The Defence for Mr Patrice-Edouard Ngaissona ('the Defence') hereby submits this Addendum to its "Defence Submission of its Final list of Witnesses and its List of Evidence",¹ filed before Trial Chamber V ('the Chamber') on 17 November 2023.
2. The Addendum contains, in Confidential Annex 1, the Defence's summaries of all the witnesses it intends to have testify fully live in the present proceedings. The Defence files it by way of addendum since the disclosure of the witnesses' summaries is part and parcel of the Defence's Submission of its Final List of Witnesses and its List of Evidence.

II. CONFIDENTIALITY

3. In accordance with regulation 23 *bis* (1) of the Regulations of the Court, the Annex of the addendum is filed confidentially because it identifies the witnesses the Defence intends to have testify and canvasses the topics of their anticipated testimony, which for the time being is confidential. A public redacted version will be filed in due course.

III. SUBMISSIONS

4. On 1 November 2023, the Chamber partially granted the Defence's request for an extension of time limit related to its presentation of evidence.² It decided *inter alia* to extend the time limit for the Defence to provide its witness statements and summaries depending on the scheduled appearance of such witnesses. Specifically, for witnesses not scheduled to testify in the hearing weeks scheduled for December 2023 and between 15 January and 2 February 2024, the Defence was allowed to disclose their statements or summaries on a

¹ ICC-01/14-01/18-2215.

² ICC-01/14-01/18-2181.

rolling basis but no later than 15 December 2023.³ The Defence does not have any witnesses scheduled to testify in these blocks.

5. The Defence has also done everything within its control to abide by the Chamber's instruction. It has disclosed witness statements and associated materials on a rolling basis. However, as the Chamber is aware, the Defence has experienced some delay in disclosing the prior-recorded testimony for certain witnesses for reasons outside its control.⁴
6. Annex 1 to the present addendum contains all the witness summaries for the witnesses the Defence intends to have testify fully live. The Defence provides them in one consolidated annex for ease of reference for the Chamber, parties, and participants.

Respectfully submitted,



Mr Knoops, Lead Counsel for Patrice-Edouard Ngaïssona

Dated this 15 December 2023

At The Hague, the Netherlands.

³ ICC-01/14-01/18-2181.

⁴ See ICC-01/14-01/18-2256; Email Decision on Ngaïssona Defence Urgent Requests under Regulation 35(2) regarding D30-4953 and D30-4035, dated 15 December 2023 at 1:43pm.