

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/22
Date: 13 October 2022

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Tomoko Akane

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM GAWAKA***

Public

With 71 Confidential *EX PARTE* Annexes only available to the Registry

**Second Registry Transmission of Group A Applications for Victim Participation
in Pre-Trial Proceedings**

Source: Registry

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

Office of the Prosecutor

Karim A. A. Khan
Mame Mandiaye Niang
Kweku Vanderpuye

Duty Counsel for the Defence

Gregory Townsend, Duty Counsel

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

Office of Public Counsel for Victims

Paolina Massidda
Dmytro Suprun

**Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Philipp Ambach

Trust Fund for Victims

I. Introduction

1. On 27 June 2022, Pre-Trial Chamber II (“Chamber”) issued its “Order on the conduct of the confirmation of charges proceedings” (“27 June 2022 Order”),¹ in the case of *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka* case (“Case”), in which it *inter alia* adopted the “A-B-C” victim application procedure² and endorsed the guidance on the legal assessment of victim applications adopted by the Pre-Trial Chamber in the case of *The Prosecutor v. Yekatom and Ngaïssona* (“Y/N Case”).³ Specifically, in its 27 June 2022 Order, the Chamber instructed the Registry to:

- a. Classify the applicants into three categories: (a) applicants who clearly qualify as victims (“Group A”); (b) applicants who clearly do not qualify as victims (“Group B”); and (c) applicants for whom the Registry could not make a clear determination for any reason (“Group C”);⁴
- b. Transmit to the Chamber on a rolling basis and in un-redacted form, by way of a filing in the record of the Case, all complete applications on the basis of the A-B-C grouping, including any supporting documentation;⁵ and
- c. Transmit the Group C applications only “to the parties for observations pursuant Rule 89(1) of the Rules,⁶ and legal representative as appropriate, with the necessary redactions to expunge the persons’ identifying information.”⁷

¹ Pre-Trial Chamber II, “Order on the conduct of the confirmation of charges proceedings”, 27 June 2022, (“27 June 2022 Order”), ICC-01/14-01/22-62.

² *Id.*, para. 40.

³ *Id.*, para. 44.

⁴ *Id.*, para. 40 (iv).

⁵ *Id.*, para. 40 (v).

⁶ Rules of Procedure and Evidence (“Rules”).

⁷ *Id.*, para. 40 (vi).

II. Procedural History

2. On 22 March 2022, the Warrant of Arrest against Mr Mokom was made public.⁸
On the same date, Mr Mokom made his first appearance before the Chamber.⁹
At that occasion, the Chamber scheduled the opening of the confirmation of charges hearing provisionally for 31 January 2023.¹⁰
3. On 27 June 2022, the Chamber issued its Order setting out *inter alia* the admission procedure for victims' participation in the Case¹¹ and endorsing the guidance on the legal assessment of victim applications adopted by the Pre-Trial Chamber in the Y/N Case.¹²
4. On 14 September 2022, the Registry transmitted 70 applications categorised in Group A¹³ together with a report thereon.¹⁴

III. Classification

5. The annexes to the present submission are classified as confidential *ex parte* only available to the Registry, in accordance with the 27 June 2022 Order.¹⁵

⁸ Pre-Trial Chamber II, "Public Redacted Version of 'Warrant of Arrest for Maxime Jeoffroy Eli Mokom Gawaka' (ICC-01/14-01/22-2-US-Exp)", dated 10 December 2018 and registered on 22 March 2022, ICC-01/14-01/22-2-Red2.

⁹ See Pre-Trial Chamber II, "Order convening a hearing for the first appearance of Mr Mokom", 16 March 2022, ICC-01/14-01/22-21.

¹⁰ ICC-01/14-01/22-T-001-Red-ENG WT 22-03-2022, p.11, lines 20-22.

¹¹ 27 June 2022 Order, paras. 40-41.

¹² *Id.*, para. 44.

¹³ Registry, "First Registry Transmission of Group A Applications for Victim Participation in Pre-Trial Proceedings", dated 13 September 2022 and registered on 14 September 2022, ICC-01/14-01/22-87.

¹⁴ Registry, "First Registry Assessment Report on Applications for Victim Participation in Pre-Trial Proceedings", dated 13 September 2022 and registered on 14 September 2022, ICC-01/14-01/22-86.

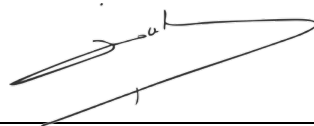
¹⁵ 27 June 2022 Order, paras. 40 (v) and (vi).

IV. Applicable Law

6. The present transmission is submitted in accordance with article 68(1) and (3) of the Rome Statute, rules 85 to 89 and 92 of the Rules, regulation 86 of the Regulations of the Court, and regulations 107 to 109 of the Regulations of the Registry.

V. Transmission

7. The Registry hereby transmits 71 complete applications assessed as falling under Group A to the Chamber, in accordance with paragraph 41(ii) of the 27 June 2022 Order.



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

Dated this 13 October 2022

At The Hague, The Netherlands