

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 17 November 2022

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 ROMBHOT YEKATOM & PATRICE-EDOUARD NGAÏSSONA***

Public

Public Redacted Version of “Yekatom Defence Response to ‘Prosecution’s Request for the Formal Submission of the Prior Recorded Testimony of P-1819 pursuant to Rule 68(3)’ (ICC-01/14-01/18-1414-Conf)”, 30 May 2022, ICC-01/14-01/18-1439-Conf

Source: Defence for Mr. Alfred Rombhot Yekatom

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

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Unrepresented Victims

**Unrepresented Applicants
(Participation / Reparation)**

**The Office of Public Counsel for
Victims**

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Section**

INTRODUCTION

1. The Defence for Mr Alfred Rombhot Yekatom ('Defence') hereby responds to the 'Prosecution's Request for the Formal Submission of the Prior Recorded Testimony of P-1819 pursuant to Rule 68(3)' ('Request').
2. The Defence does not oppose the Request.
3. However, the Defence takes issue with the Prosecution's characterisation of the evidence of P-1819 in the Request, which at times borders on the misleading.
4. For instance, the Prosecution claims that P-1819 'discusses [...] the presence of children in YEKATOM's Group'.¹ However, the Prosecution omits to specify that P-1819 does not in fact allege that there were children under the age of 15 in Mr Yekatom's group; and further, that she stated in relation to the 'third camp' that '*J'ai vu des Anti-Balaka jeunes mais pas très jeunes. Selon moi, les plus jeunes avaient environ 16 ans.*'² In the same vein, the Prosecution states that [REDACTED],³ but omits to add that P-1819 thought that Mr Yekatom was exaggerating in this regard.⁴
5. This Response is filed on a confidential basis corresponding to the classification of the Request. The Defence would not oppose its reclassification as public.

RESPECTFULLY SUBMITTED ON THIS 17TH DAY OF NOVEMBER 2022



Me Mylène Dimitri
Lead Counsel for Mr. Yekatom

The Hague, the Netherlands

¹ [ICC-01/14-01/18-1414-Conf](#), para. 2

² [CAR-OTP-2065-0003-R01](#), para. 130.

³ [ICC-01/14-01/18-1414-Conf](#), para. 11.

⁴ [CAR-OTP-2065-0003-R01](#), para. 78.