



Original : English

N°: ICC-01/14-01/22  
Date: 19 December 2022

**PRE-TRIAL CHAMBER II**

**Before:** Judge Rosario Salvatore Aitala, Presiding  
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 Public Redacted and Confidential Annex A**  
**Confidential *EX PARTE* Annex B only available to the Defence and the Registry's  
Counsel Support Section**  
**Confidential *EX PARTE* Annex C only available to the Defence, Registry and  
Prosecution**  
**Confidential *EX PARTE* Annex D only available to the OPCD and the Registry**  
**Confidential *EX PARTE* Annex E only available to the Prosecution**  
**Confidential *EX PARTE* Annex F only available to the Prosecution and the  
Registry's Detention Section**  
**Secret *EX PARTE* Annex G only available to the Registry**  
**Under Seal *EX PARTE* Annex H only available to the Prosecution and the Registry**  
**Confidential *EX PARTE* Annex I only available to the Prosecution and the Defence  
and**  
**Confidential *EX PARTE* Annex J only available to the Defence**  
  
**First Registry Quarterly Report on Decisions issued by way of e-mail from  
August to October 2022**

**Source : Registry**

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

**The Office of the Prosecutor**

Mr Karim A.A Khan  
Mr Mame Mandiaye Niang  
Mr Kweku Vanderpuye

**Counsel for the Defence**

Mr Gregory Townsend

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Mr Peter Lewis

**Counsel Support Section**

Mr Pieter Vanaverbeke

**Victims and Witnesses Unit**

**Detention Section**

Mr Harry Tjonk

**Victims Participation and Reparations  
Section**

**Other**

## **I. Introduction**

1. The Registry submits with the present report and its 10 annexes, the public redacted, confidential, under seal and secret versions of email decisions pursuant to the “Order on the conduct of the confirmation of charges proceedings”<sup>1</sup> (“Order”), issued on 27 June 2022 by Pre-Trial Chamber II (“Chamber”).<sup>2</sup>

## **II. Procedural History**

2. On 27 June 2022, the Chamber issued the Order instructing the Registry to file all email decisions on the case record in quarterly reports starting 1 August 2022.<sup>3</sup>

## **III. Classification**

3. Pursuant to regulation 23*bis*(1) of the Regulations of the Court and regulation 14 of the Regulations of the Registry, some of the annexes are classified as “confidential”, “under seal” and “secret” because they refer to sensitive information that should not be disclosed to the public or should be known only to a very limited number of persons.

## **IV. Applicable law**

4. For the purpose of the present submission, the Registry has considered articles 57(3)(c) of the Rome Statute and rule 121(10) of the Rules of Procedure and Evidence.

---

<sup>1</sup> Pre-Trial Chamber II, Order on the conduct of the confirmation of charges proceedings , ICC-01/14-01/22-62, 27 June 2022.

<sup>2</sup> *Ibid*, para. 54.

<sup>3</sup> *Ibid*.

## V. Submissions

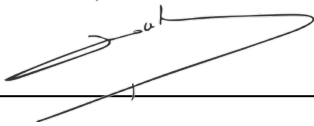
5. In the Order, the Chamber provided criteria for the application of the redactions to the email decisions. The Registry was instructed *inter alia* to apply redactions to “i) names of Chambers staff members, where applicable; ii) names of Registry staff members, if deemed necessary by the Registry; iii) any personal email address or other private or personal information; and iv) any other information that should not be made public. The Registry shall consult the parties on the redactions applied.”<sup>4</sup>
6. On 7 December 2022, the Chamber transferred by email to the Registry CMS, eight annexes containing the email decisions to be filed in the record of the case.<sup>5</sup> Two further additional decisions issued by email were included in the list, namely Annex I and Annex J.
7. Accordingly, the Registry hereby submits the 10 following annexes to the present report :
  - **Annex A:** Confidential and Public Redacted Version;
  - **Annex B:** Confidential *EX PARTE* only available to the Defence and Registry Counsel Support Section;
  - **Annex C:** Confidential *EX PARTE* only available to the Defence, Registry and Prosecution;
  - **Annex D:** Confidential *EX PARTE* only available to the OPCD and the Registry;
  - **Annex E:** Confidential *EX PARTE* only available to the Prosecution;
  - **Annex F:** Confidential *EX PARTE* only available to the Prosecution and the Registry Detention Section;
  - **Annex G:** Secret *EX PARTE* only available to the Registry;
  - **Annex H:** Under seal *EX PARTE* only available to the Prosecution and Registry;

---

<sup>4</sup> *Ibid*, para 55.

<sup>5</sup> Pre-Trial Chamber II email sent to Registry CMS, dated 7 September 2022, 14:57.

- **Annex I:** Confidential *EX PARTE* only available to the Prosecution and the Defence;
- **Annex J:** Confidential *EX PARTE* only available to the Defence.



---

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

Dated this 19 December 2022

At The Hague, The Netherlands