

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

N°: ICC-01/14-01/22
Original Date: 1 March 2023
Date: 01 May 2023

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding Judge
Judge Tomoko Akane
Judge Sergio Gerardo Ugalde Godínez

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

Public

**With Public Redacted Annexes 1, and 3 – 9 and
Confidential Annexes 1 and 5 – 9,
Confidential *EX PARTE* Annex 2 only available to the Registry and Defence,
Confidential *EX PARTE* Annex 3 only available to the Prosecution,
Confidential *EX PARTE* Annexes 4 and 10 only available to the Registry,
And Confidential *EX PARTE* Annexes 11 and 12 only available to the Registry, the
Prosecution, and the Defence**

**Corrected Version of “Second Registry Quarterly Report on Decisions issued by
way of e-mail from
01 November 2022 until 31 January 2023”, 01 March 2023, ICC-01/14-01/22-171**

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 Philippe Larochelle

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 Osvaldo Zavala Giler

Counsel Support Section

Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry submits with the present report and its 12 annexes, the public redacted, confidential, and confidential *ex parte* versions of email decisions pursuant to the “Order on the conduct of the confirmation of charges proceedings”¹ (“Order”), issued on 27 June 2022 by Pre-Trial Chamber II (“Chamber”).²

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 2022.³

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” because they refer to sensitive information that should not be disclosed to the public or should be known to a very limited number of persons.

IV. Applicable law

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

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

² *Ibid*, para. 54.

³ *Ibid*.

V. Submissions

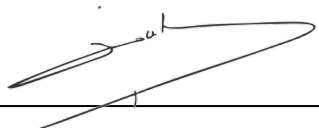
5. In the Order, the Chamber provided criteria for the application of the redactions to the email decisions. The Registry was *inter alia* instructed to apply redactions to: “i) names of Chambers staff members, where applicable; ii) names of Registry staff members, if deemed necessary by the Registry; 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.”⁴
6. To this end, the Registry liaised with the Prosecution, the Defence, the Legal Representatives of Victims (“LRVs”), and relevant sections of the Registry.⁵ Redaction proposals were received from the Registry, the Prosecution and the Defence.⁶ The LRVs had no further redactions to suggest.
7. Accordingly, the Registry hereby submits the 12 following annexes to the present report:
 - **Annex 1:** Confidential with Public Redacted Version;
 - **Annex 2:** Confidential *ex parte* (only available to the Registry and Defence);
 - **Annex 3:** Confidential *ex parte* (only available to the Prosecution) with Public Redacted Version;
 - **Annex 4:** Confidential *ex parte* (only available to the Registry) with Public Redacted Version;
 - **Annex 5:** Confidential with Public Redacted Version;
 - **Annex 6:** Confidential with Public Redacted Version;

⁴ *Ibid*, para. 55.

⁵ Emails sent by the Courtroom Officer/Associate Legal Officer on 24 February 2023 at 16.59, 17.00, 17.01, 17.02, and 17.03.

⁶ Emails sent by the Registry on 24 February 2023 at 17.41 and 17.44. Emails sent by the Prosecution on 27 February 2023 at 12.11, 12.14 and, 12.15. Emails sent by the Defence on 27 February 2023 at 17.01, 17.25, and 18.20. The Pre-Trial Chamber ruled on one objection to a proposed redaction by way of email, sent on 1 March 2023 at 08.50.

- **Annex 7:** Confidential with Public Redacted Version;
- **Annex 8:** Confidential with Public Redacted Version;
- **Annex 9:** Confidential with Public Redacted Version;
- **Annex 10:** Confidential *ex parte* (only available to the Registry);
- **Annex 11:** Confidential *ex parte* (only available to the Registry, Prosecution and Defence); and
- **Annex 12:** Confidential *ex parte* (only available to the Registry, Prosecution and Defence).



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 01 May 2023
At The Hague, The Netherlands