

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **9 June 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 *PROSECUTOR* v. *ALFRED YEKATOM* AND
*PATRICE-EDOUARD NGAÏSSONA***

Public

**Prosecution's information regarding its outstanding Bar Table Applications
(pursuant to ICC-01/14-01/18-1884)**

Source: Office of the Prosecutor

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 KC
Mr Mame Mandiaye Niang
Mr Kweku Vanderpuye

Counsel for Alfred Yekatom

Ms Mylène Dimitri
Mr Thomas Hannis
Ms Anta Guissé

Counsel for Patrice-Edouard Ngaïssona

Mr Geert-Jan Alexander Knoops
Mr Richard Omissé-Namkeamai
Ms Marie-Hélène Proulx

Legal Representatives of Victims

Mr Dmytro Suprun
Mr Abdou Dangabo Moussa
Ms Elisabeth Rabesandratana
Mr Yaré Fall
Ms Marie-Edith Douzima-Lawson
Ms Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INFORMATION

1. Pursuant to the Trial Chamber V (“Chamber”)’s request,¹ the Office of the Prosecutor (“Prosecution”) hereby informs the Chamber of its outstanding bar table applications.

2. The Prosecution intends to file bar table applications concerning the following types of evidence:

- Photographs: 203 items (139 photographs, 62 items of meta-data, and two contextual documents, totalling 494 pages). The Annex was sent to the Defence on 1 May 2023 with a deadline to respond by 31 May 2023. The NGAISSONA Defence provided its comments on 2 June 2023, the YEKATOM Defence provided its comments on 11 May 2023.
- Audio/video materials: 330 items (117 audio/video items, 185 transcripts/translations, and 28 contextual documents, totalling 17:19:37 hours and 986 pages). The majority of the items² were first sent to the Defence on 3 October 2022. Upon the competition of outstanding transcripts and translations, and further discussions with the Defence, a final Annex was sent to the Defence on 18 April 2023 with a deadline to respond by 28 April 2023. The NGAISSONA Defence provided its comments on 1 May 2023, the YEKATOM Defence did not provide its comments.
- United Nations documents: 68 items (741 pages). The Annex was sent to the Defence on 8 March, with a Deadline to respond by 31 March 2023, which was extended to 28 April 2023. The NGAISSONA Defence provided its comments on 28 April 2023, the YEKATOM Defence provided its comments on 1 June 2023.
- Anti-Balaka and Central African Republic (“CAR”) government documents: 47 Anti-Balaka documents (167 pages), and 101 documents obtained from CAR national authorities (621 pages). The Annexes were sent to the Defence on 8 June 2023, with a deadline to respond by 21 July 2023.

¹ ICC-01/14-01/18-1884, para. 22, in which the Chamber requested the Prosecution to identify (i) the expected number of applications; (ii) their subject-matter; (iii) their volume (for example, the number of pages, and/or the duration in case of audio/visual material); and (iv) the anticipated timelines, including concerning the receipt of the Defence’s views in respect of each application.

² Containing 125 audio/video items, 172 transcripts and translations, and 24 contextual documents.

- Media articles: 42 items (476 pages). The Annex was sent to the Defence on 8 June 2023, with a deadline to respond by 21 July 2023.
- Facebook materials: 5 items (600 pages). The Annex was sent to the Defence on 24 March 2023, with a deadline to respond by 7 April 2023. Both Defence teams provided their comments on 6 April 2023; and 176 items (6853 pages): the Annex has not been sent to the Defence yet, but will be provided in the week of 12 June 2023.
- Call data Records: 10 items (539 pages). The Annex has not been sent to the Defence yet, but will be provided in the week of 12 June 2023.
- Miscellaneous: the Prosecution intends to file one final bar table application containing 'miscellaneous' documents. The volume thereof will depend on the outcome of outstanding applications, and the availability of some of the remaining witnesses to testify. The Annex has not been sent to the Defence yet.

3. As concerns materials related to P-1819, the Prosecution intends to file a request pursuant to Rule 68(2)(c) for the formal submission of P-1819's prior statement, together with its associated documents. Depending on the decision thereon, the Prosecution may seek to introduce from the bar table 440 audio/video items (07:05:51 hours), and 282 related items (translations, transcripts, photographs, and other documentation) (874 pages). Accordingly, the Annex of these materials (which are among the associated exhibits to P-1819's prior statement) has not been sent to the Defence yet, as a positive outcome of the Rule 68(2)(c) application would render a further bar table motion moot.



Karim A. A. Khan KC, Prosecutor

Dated this 9th day of June 2023
At The Hague, The Netherlands