

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/14-01/22**

Date: **16 June 2023**

PRE-TRIAL CHAMBER II

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM
GAWAKA***

Confidential

with Confidential Annexes A, B and C

Prosecution's Communication of the Disclosure of Evidence on 15 and 16 June 2023

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

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Ms Leonie von Braun

Counsel for Maxime Mokom

Mr Philippe Larochelle

Legal Representatives of Victims

Legal Representatives of 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

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. NOTIFICATION

1. The Office of the Prosecutor ("Prosecution") submits this communication regarding the disclosure of evidence.

II. CONFIDENTIALITY

2. The filing and its annexes are classified as "Confidential" as they relate to evidence disclosed relating to *inter partes* communications and a decision of the same designation.¹

III. DISCLOSURE OF EVIDENCE

3. Following the Chamber's order,² the Prosecution has identified portions potentially exonerating under article 67(2) of the Statute within disclosed items.
4. On 15 June 2023, the Prosecution disclosed to the Defence of Maxime Mokom "Pre-confirmation Rule 77 Package 016" containing 66 items, "Pre-confirmation Rule 77 Package 017" containing 10 items, and "Pre-confirmation Rule 77 Package 018" containing 122 items.³
5. The disclosure of "Pre-confirmation Rule 77 Package 016", "Pre-confirmation Rule 77 Package 017" and "Pre-confirmation Rule 77 Package 018" consist of all Requests for Assistance sent as well as responses relating to Call Data Records (CDRs) obtained by the Prosecution in the course of the investigation, as well as Call Sequence Tables.
6. On 16 June 2023, the Prosecution provided an inventory of CDRs to the Defence of Maxime Mokom *via* email. This inventory is an excel sheet pursuant to the Chamber's instructions and which allows filtering for which CDR relate to

¹ ICC-01/14-01/22-219-Conf.

² ICC-01/14-01/22-219-Conf, paras. 41-47.

³ See confidential Annex A.

witnesses. At the time of this filing, the inventory is being processed for registration and will be disclosed still today.⁴

7. On 16 June 2023, the Prosecution also disclosed to the Defence of Maxime Mekom "Pre-confirmation Metadata Update Package 010" containing 48 items.
8. The disclosure of "Pre-confirmation Metadata Update Package 010" contains items classified as INCRIM or Rule 77 for which a metadata update to the field "Disclosure Notes (external)" has been undertaken to reflect information which is pertinent pursuant to article 67(2) of the Statute.⁵



Karim A. A. Khan KC, Prosecutor

Dated this 16th day of June 2023

At The Hague, The Netherlands

⁴ See confidential Annex C.

⁵ See confidential Annex B.