

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **19 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 Annex**

Prosecution's Communication of the Disclosure of Evidence on 19 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

Mr Karim A. A. Khan KC
Mr Mame Mandiaye Niang
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 annex 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 reviewed the materials disclosed entirely PEXO with a view of identifying specifically which sections it considers potentially exculpatory for Mr Mokom.
4. Where applicable the Prosecution has included concise summaries of the content of such item and an explanation of its relevance as potentially exculpatory. These items are included in "Pre-confirmation Metadata Update Package 011" containing 80 items.³ The disclosure of "Pre-confirmation Metadata Update Package 011" contains items classified as PEXO 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. Further, the review has established that documents concerning Witness P-0801 and P-0300 were incorrectly identified as PEXO in the case concerning Mr Mokom. Therefore, these documents were reclassified as Rule 77 and are

¹ ICC-01/14-01/22-219-Conf.

² ICC-01/14-01/22-219-Conf, paras. 37-39.

³ See confidential Annex.

included in “Pre-confirmation Rule 77 Reclassification Package 002” containing 17 items.



Karim A. A. Khan KC, Prosecutor

Dated this 19th day of June 2023

At The Hague, The Netherlands