

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 15 November 2024

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung
Judge Beti Hohler, Alternate Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD
NGAISSONA***

PUBLIC

**With Confidential Annexes A, A.03 to A.07, A.09 to A.14, and A.16 to A.21 and
Public Annexes A.01, A.02, A.08, A.15, and B**

Ngaïssona Defence Closing Brief

Source: Defence of Patrice-Edouard Ngaïssona

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

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**Unrepresented Applicants
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**The Office of Public Counsel for the
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Amicus Curiae

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Victims and Witnesses Unit

**Victims Participation and Reparations
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Counsel Support Section

Detention Section

Other

I. INTRODUCTION

1. The Defence for Mr Patrice-Edouard Ngaïssona (‘Defence’) hereby submits its Closing Brief pursuant to the “Further Directions on the Conduct of the Proceedings (End of Defence Presentation of Evidence and Closure of Evidence)”.¹

II. CONFIDENTIALITY

2. The Closing Brief enclosed as Confidential Annex A is filed confidentially pursuant to Regulation 23bis(1) of the Regulations of the Court as it contains potentially identifying information relating to witnesses or it makes arguments concerning evidence that is currently classified as confidential. Sub annexes A.03, A.04, A.05, A.06, A.07, A.09, A.10, A.11, A.12, A.13, A.14, A.16, A.17, A.18, A.19, A.20 are also filed confidentially for the same reasons. Annexes A.01, A.02, A.08, and A.15 are filed as ‘Public’. In the interest of the publicity of the proceedings, the Defence also files the table of contents of its Closing Brief publicly as Annex B. Lastly, the public redacted version of Confidential Annex A will be filed on 22 November 2024.²

III. SUBMISSIONS

3. The Defence submits its Closing Brief as Confidential Annex A. To ensure clarity, the Defence hereby provides a table of the annexes and sub annexes appended to the present filing:

Annex No	Annex Title	Confidentiality Level
A	Ngaïssona Defence Closing Brief	Confidential
A.01	List of Abbreviations & Acronyms	Public
A.02	Table of Authorities	Public

¹ ICC-01/14-01/18-2342.

² Email from Trial Chamber V re: Decision on the OTP Request for an extension of time to file PRV Closing Brief, dated 06 November 2024 at 12:37.

Annex No	Annex Title	Confidentiality Level
A.03	Facebook Material	Confidential
A.04	Links between Prosecution Witnesses / Key actors and the CAR Government	Confidential
A.05	Plagiarism in P-2926's Report	Confidential
A.06	P-2673's Reliance on his Prior-Recorded Testimony during In-Court Testimony	Confidential
A.07	Email Exchange "RE: Query and Rule 77 request re: Facebook conversations"	Confidential
A.08	Domestic Case Law and Jurisprudence from Canada and the United States of America	Public
A.09	Varieties of CDRs submitted by Prosecution	Confidential
A.10	Anomalies in CDRs provided by MTN, Orange and Telecel	Confidential
A.11	Email Exchange "CDR Bar Table Annexes B / C / D"	Confidential
A.12	Overlapping calls involving two numbers attributed to Mr NGAÏSSONA	Confidential
A.13	ICC-01/14-01/22-260-Conf-AnxA	Confidential
A.14	Location of GOBERÉ camp	Confidential
A.15	Cupido Marjolein, <i>Group Acting with a Common Purpose</i> , 2019, Cambridge University Press	Public
A.16	Séléka Elements at the <i>École Liberté</i> on 6 December 2013	Confidential
A.17	Non Exhaustive List of Major Flaws in P-2049's Evidence	Confidential
A.18	" <i>Maison Kolingba</i> " is Ali Babolo Mosque	Confidential
A.19	Central Mosque of BOSSANGOYA Destroyed after 5 December 2013	Confidential

Annex No	Annex Title	Confidentiality Level
A.20	Metadata of CAR-OTP-2088-2204	Confidential
A.21	P-2049 Holding a Machete	Confidential
B	Table of Contents	Public

IV. CONCLUSION

- The Defence respectfully asks Trial Chamber V to receive: (1) the Defence's Closing Brief contained in Confidential Annex A including its sub annexes; and (2) public Annex B, containing the Defence Closing Brief's detailed table of contents.

Respectfully submitted,



Mr Knoops, Lead Counsel for Patrice-Edouard Ngaïssona

Dated this 15 November 2024

At The Hague, the Netherlands.