



Original : English

No.: ICC-01/14-01/18
Date: 26 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 NGAÏSSONA***

**Public with
Confidential Annexes 1 to 27
and
Public Redacted Annexes 1 to 27**

**Seventeenth Registry Quarterly Report on Decisions issued by way of e-mail from 1
August to 31 October 2024**

Source : Registry

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 Alfred Yekatom

Ms Mylène Dimitri

Mr Anta Guissé

Counsel for Patrice-Edouard Ngaïssona

Mr Geert-Jan Alexander Knoops

Ms Marie-Hélène Proulx

Legal Representatives of the 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 the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**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. Introduction

1. The Registry submits with the present report and its 27 annexes, confidential and public redacted versions of email decisions (“Report on Email Decisions”) pursuant to the “Initial Directions on the Conduct of the Proceedings” (“Initial Directions”), issued on 26 August 2020 by Trial Chamber V (“Chamber”)¹.
2. Pursuant to the Presiding Judge’s instructions to the Registry dated 13 April 2021, the Registry files the confidential versions simultaneously with the public versions.²

II. Procedural History

3. On 26 August 2020, the Chamber issued the Initial Directions instructing the Registry to file all email decisions on the case record in quarterly reports (“the Registry Reports”) starting 15 September 2020.³
4. The Chamber directed the parties and participants to: a. frame their requests made by email in a way that makes their publicity possible; b. indicate in the email when emails cannot be made public at all.⁴
5. The Presiding Judge clarified in the Initial Directions that emails related to the submission of evidence should not be part of the Reports on e-mail Decisions.⁵

¹ Trial Chamber V, Initial Directions on the Conduct of the Proceedings, ICC-01/14-01/18-631, 26 August 2020, para. 76.

² Trial Chamber V Communications email to the Registry CMS, dated 13 April 2021 at 15h45.

³ *Ibid.*

⁴ *Ibid.*, para 78.

⁵ *Ibid.*, footnote 58.

6. On 13 April 2021, the Presiding Judge instructed the Registry to additionally file confidential versions of the Registry Reports and further ordered these confidential versions to be filed simultaneously with the public versions.⁶

III. Level of classification

7. Pursuant to regulation 23bis(1) of the Regulations of the Court, some of the annexes are classified as “confidential” and “confidential *ex parte*” because they refer to sensitive information that should not be disclosed to the public.

IV. Applicable law

8. For the purpose of the present submission, the Registry considered articles 64(7), 64(10) and 67(1) of the Rome Statute and rule 137 of the Rules of Procedure and Evidence.

V. Submissions

9. In the Initial Directions, the Presiding Judge provided criteria for the application of the redactions to the email decisions. The Registry is instructed *inter alia* to: “[...] apply the following redactions: (i) names of Chambers staff members, where applicable; (ii) names of Registry staff members, if deemed necessary by the Registry; and (iii) any personal email address or other private or personal information. The Registry shall consult the participants on the redactions applied. In case of disagreement, the Chamber will rule.”⁷
10. In order to enable the parties and participants to suggest specific additional redactions, the Registry liaised by way of email with the Office of the Prosecutor (“Prosecution”), the Defence for Mr Yekatom, the Defence for Mr Ngaïssona,

⁶ See *supra* note 2.

⁷ *Ibid*, para. 77.

the Legal Representatives of Victims for the Former Child Soldiers (“CLRV1”) and the Legal Representatives of Victims of the Other Crimes (“CLRV2”).⁸

11. Redaction proposals were received from the parties and participants and subsequently considered by the Registry.⁹

12. Accordingly, the Registry applied redactions to emails set forth in the following annexes:

- **Annex 1:** Clarification regarding Time Limits during the Judicial Recess, dated 02 August 2024 at 19:28;
- **Annex 2:** RE: Prosecution Request for Clarification concerning Timeline for Rebuttal Evidence, dated 09 August 2024 at 21:22;
- **Annex 3:** Order in relation to Yekatom Defence Request ICC-01/14-01/18-2633-Conf and Ngaïssona Defence Request ICC-01/14-01/18-2622, dated 16 August 2024 at 16:03;
- **Annex 4:** Addendum to the Decision on the First Ngaïssona Defence Request for Submission from the Bar Table (Official Documents) (ICC-01/14-01/18-2634), dated 21 August 2024 at 09:48;
- **Annex 5:** Order to reclassify ICC-01/14-01/18-2547-Conf, dated 21 August 2024 at 15:04;
- **Annex 6:** Order to reclassify ICC-01/14-01/18-2391-Conf, dated 21 August 2024 at 15:31;
- **Annex 7:** Order to reclassify filings ICC-01/14-01/18-2560-Conf, ICC-01/14-01/18-2584-Conf and ICC-01/14-01/18-2586-Conf, dated 26 August 2024 at 14:47;

⁸ Emails sent by the Court Management Section to the Parties, Participants and the Registry on 21 November 2024 at 12:34 and 12:39 containing confidential and confidential *ex parte* annexes where applicable.

⁹ Email sent by the Prosecution on 26 November 2024 at 09:43 containing further redactions for annex 22. Emails sent by the Defence for Mr Yekatom on 22 November 2024 at 10:12 and 10:45 containing further redactions for annex 16 and confirming that annex 20 can be classified as confidential. Email sent by the Defence for Mr Ngaïssona on 21 November 2024 at 14:06 containing further redactions for annex 22.

- **Annex 8:** Decision on the Yekatom Defence Request for an extension of page limits in accordance with regulation 37(2) for potential sentencing evidence request, dated 27 August 2024 at 09:51;
- **Annex 9:** Order shortening the deadline to respond to the pending requests for rebuttal evidence, dated 28 August 2024 at 11:48;
- **Annex 10:** Decision on the Ngaïssona Defence Request to reconsider the Order shortening the deadline to respond to the pending requests for rebuttal evidence, dated 29 August 2024 at 17:41;
- **Annex 11:** Order shortening the time limit to respond to Yekatom Defence Request ICC-01/14-01/18-2671-Conf, dated 04 September 2024 at 16:12;
- **Annex 12:** Order Shortening Deadline to Respond to ICC-01/14-01/18-2666-Conf, dated 05 September 2024 at 14:02;
- **Annex 13:** Decision on the Yekatom Defence Request for Variation of Time Limit pursuant to Regulation 35 to Present Additional Evidence for Potential Sentencing (ICC-01/14-01/18-2671-Conf), dated 05 September 2024 at 15:18;
- **Annex 14:** Order Shortening Deadline to Respond to the Ngaïssona Defence's Request for an Extension of Time (ICC-01/14-01/18-2676-Conf-Red), dated 09 September 2024 at 15:38;
- **Annex 15:** Order Shortening Deadline to Respond to ICC-01/14-01/18-2681-Conf, dated 09 September 2024 at 15:42;
- **Annex 16:** Decision on the Ngaïssona Defence's Request for an Extension of Time Pursuant to Regulation 35(2) to present testimonial evidence for potential sentencing (ICC-01/14-01/18-2676-Conf-Red), dated 10 September 2024 at 14:00;
- **Annex 17:** Decision on the Prosecution's request for extension of time to file its response to ICC-01/14-01/18-2678-Conf, dated 12 September 2024 at 16:13;
- **Annex 18:** Order to reclassify filings ICC-01/14-01/18-820-Conf, ICC-01/14-01/18-1642-Conf, ICC-01/14-01/18-1660-Conf and ICC-01/14-01/18-1992-Conf, dated 16 September 2024 at 12:34;
- **Annex 19:** Order to Reclassify ICC-01/14-01/18-2627-Conf, dated 18 September 2024 at 11:52;

- **Annex 20:** Decision on the Yekatom Defence Request for access to recordings of in-court testimonies, dated 18 September 2024 at 17:56;
- **Annex 21:** Decision on Yekatom Defence Request for extension of page limits for its request related to PRVs of D29 Statements and Protection of their Identities, dated 20 September 2024 at 12:13;
- **Annex 22:** Decision on the Yekatom Defence Request to Access Unpixellated and Clear Voice Audio-Visual Recordings of Hearings, dated 24 September 2024 at 10:08;
- **Annex 23:** Order to reclassify ICC-01/14-01/18-2672-Conf, dated 30 September 2024 at 11:53;
- **Annex 24:** Order shortening deadline to respond to ICC-01/14-01/18-2721-Conf, dated 07 October 2024 at 13:05;
- **Annex 25:** Order to reclassify filing ICC-01/14-01/18-2680-Conf, dated 14 October 2024 at 11:57;
- **Annex 26:** Clarification and amendment of the deadline for closing briefs, dated 22 October 2024 at 15:12; and
- **Annex 27:** Order to reclassify filings ICC-01/14-01/18-2714-Conf-Exp and ICC-01/14-01/18-2729-Conf-Exp, dated 30 October 2024 at 12:45.

13. In addition, the Registry simultaneously submits the 27 annexes listed above in their confidential version.



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

Dated this 26 November 2024

At The Hague, The Netherlands