



Original : English

No.: ICC-01/14-01/18
Date: 21 February 2025

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 11 and 13
Confidential *EX PARTE* Annex 12 only available to the Registry
Confidential *EX PARTE* Annex 14 only available to the Yekatom Defence and the
Registry
and
Public Redacted Annexes 1 to 14**

**Eighteenth Registry Quarterly Report on Decisions issued by way of e-mail from 1
November 2024 to 31 January 2025**

Source : Registry

To be notified, in accordance with Regulation 31 of the Regulations of the Court, to:

☒ The Office of the Prosecutor

☒ Counsel for the Defence

D29

D30

☒ Legal Representatives of the Victims

V44

V45

☐ 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

M. Zavala Giler, Osvaldo

☐ 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 14 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 23*bis*(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:** Decision on the OTP Request for extension of time to file PRV Closing Brief, dated 06 November 2024 at 12:37;
- **Annex 2:** Decision on the OTP Request for extension of time to file Closing Brief, dated 14 November 2024 at 18:40;
- **Annex 3:** On the Emails regarding Defence Annexes to Closing Briefs, dated 20 November 2024 at 12:19;
- **Annex 4:** Decision on the Request to Extend the Deadline set in ICC-01/14-01/18-2600 to 4 December 2024, dated 25 November 2024 at 16:11;
- **Annex 5:** Decision on the Urgent request to instruct the NGAISSONA Defence to ensure that the PRV of its Closing Brief is not publicized, dated 27 November 2024 at 18:09;
- **Annex 6:** Order to reclassify ICC-01/14-01/18-2726-Conf-Corr, dated 04 December 2024 at 12:30;
- **Annex 7:** Order to reclassify ICC-01/14-01/18-2444-Conf and ICC-01/14-01/18-2724-Conf, dated 04 December 2024 at 13:49;

⁸ Emails sent by the Court Management Section to the Parties, Participants and the Registry on 12 February 2025 at 17:11, 17:17 and 17:19 containing confidential and confidential *ex parte* annexes where applicable.

⁹ Email sent by the Prosecution on 17 February 2025 at 14:49 containing further redactions for annexes 2 and 5. Email sent by the Registry on 17 February 2025 at 14:17 containing further redactions for annexes 7 and 12. Email sent by the Defence for Mr Ngaïssona on 13 February 2025 at 15:22 containing further redactions for annex 5. Emails sent by the Defence for Mr Yekatom on 13 February 2025 at 10:58 and 11:24 containing further redactions for annexes 2, 5 and 14.

- **Annex 8:** On the Prosecution List of Materials for Closing Statement, dated 06 December 2024 at 17:38;
- **Annex 9:** Decision on the Prosecution's Request to Extend the Deadline set in ICC-01/14-01/18-2600, para.9 to midnight, dated 13 dated 2024 at 14:41;
- **Annex 10:** Order setting the schedule for the hearing pursuant to Article 76, dated 17 December 2024 at 15:22;
- **Annex 11:** Order shortening deadline to respond to ICC-01/14-01/18-2749, dated 06 January 2025 at 18:11;
- **Annex 12:** Order in relation to the Registry's Notification in Compliance with the Chamber's "Eighth Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention"(ICC-01/14-01/18-2177-Conf), dated 07 January 2025 at 12:24;
- **Annex 13:** Decision on the Ngaïssona Defence Request for Prosecution's Presentation – Sentencing, dated 08 January 2025 at 12:25; and
- **Annex 14:** Decision on the Urgent Yekatom Defence Request for Expedited Calendar and Chamber's Intervention regarding Legal Aid, dated 21 January 2025 at 12:24.

13. In addition, the Registry simultaneously submits the 14 annexes listed above in their confidential version and confidential *ex parte* version where applicable.

p.p.



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

Dated this 21 February 2025

At The Hague, The Netherlands