

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: **18 September 2019**

PRE-TRIAL CHAMBER II

Before:

**Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala**

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

IN THE CASE OF

***THE PROSECUTOR v. ALFRED ROMBHOT YEKATOM AND PATRICE-EDOUARD
NGAISSONA***

Confidential

Request Pursuant to Pre-Trial Chamber's Order to Submit Additional Information

Source: Defence of Patrice-Edouard Ngaïssona

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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Section****Other**

I. Introduction

1. This request is made following the e-mail correspondence between Pre-Trial Chamber II and the Defence, which took place on 11 and 12 September 2019.
2. On 11 September 2019, the Defence requested the Chamber to grant privileged visits with Mr Ngaïssona to its team member and resource person, Mr Timoléon Kokongo.
3. On 12 September 2019, Pre-Trial Chamber II ordered the Defence to submit this request through a filing. Moreover, Pre-Trial Chamber II requested additional information concerning the role of Mr Timoléon Kokongo within the Defence team for Mr Ngaïssona.

II. Confidentiality

4. In accordance with Regulation 23 *bis* (1) of the Regulations of the Court, this request is filed as confidential as it contains information about the Defence team members' privileged status.

III. Submissions

5. In compliance with the Pre-Trial Chamber's order to submit additional information concerning the role of Mr Kokongo within the Defence team, the Defence hereby informs the Chamber that Mr Kokongo, a qualified Central African lawyer, has been admitted as counsel on the List of Counsel before the ICC on 5 September 2019.¹ Moreover, Mr Kokongo has been designated as a resource person² on the team pursuant to Rule 22(1) of the Rules of Procedure and Evidence. Mr Kokongo's role is

¹ CSS/2019/471

² As defined in Regulation 139(2) of the Regulations of the Registry, a resource person is "a person not included in the list of investigators but who has relevant experience with regards to investigations in criminal proceedings, is fluent in at least one of the working languages of the Court and speaks at least one of the languages of the country in which the investigation is being conducted."

to assist the Defence team in its investigations in the Central African Republic. His appointment as resource person dates 15 March 2019 and has been formally confirmed by the Registry on 23 April 2019.³ Since he is also admitted as counsel on the List of Counsel before the ICC and since he is Mr Ngaïssona's lawyer in the CAR, Mr Kokongo will address the Chamber on a specific topic at the confirmation of charges hearing. After the confirmation of charges hearing, the Defence will further notify the Chamber with respect to the potential addition of Mr Kokongo to the list of persons entitled to privileged visits.

IV. Conclusion

6. The Defence respectfully requests the Chamber to allow Mr Kokongo to address the Court during the confirmation of charges hearing with respect to one of the Defence topics, while notifying the Chamber that it will revisit the issue of the admission of the list of persons entitled to privileged visits.

Respectfully submitted,



Mr Knoops

Lead Counsel for Mr. Patrice-Edouard Ngaïssona

Dated this 18 September 2019

³ CSS/2019/201.