

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 17 March 2020

TRIAL CHAMBER V

Before: Judge Bertram Schmitt
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

Public Document

**With Annex 1, Under Seal Ex Parte, Registry only
Annexes 2 and 3, Confidential Ex Parte, Registry only**

**Transmission to Trial Chamber V of the record of the proceedings, including the
Decision on the confirmation of charges against Alfred Yekatom and
Patrice-Edouard Ngaïssona**

Source: Registry

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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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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**The Office of Public Counsel for the
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States' Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (“the Court”);

I. PROCEDURAL HISTORY

1. On 11 December 2019, Pre-Trial Chamber II (“the Chamber”) issued its “Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona” (“the Decision confirming the charges”).¹
2. On 21 February 2020, the Registry filed the official French translation of the Decision confirming the charges.
3. On 26 February 2020, the Defence for Mr. Ngaïssona filed its “[...] request for a swift transmission of the case record to the Presidency pursuant to Rule 129 of the Rules of Procedure and Evidence”² in which it informed the Chamber that Mr. Ngaïssona will not seek leave to appeal the Decision confirming the charges.
4. On 2 March 2020, the Prosecutor filed her “[...] Request for Reconsideration of, or alternatively Leave to Appeal, the “Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona””.³
5. On 6 March 2020, the Legal representatives of Victims filed the “Common Legal Representatives’ Joint Response to the Prosecution’s Request for Reconsideration or Leave to Appeal”.⁴

¹ Pre-Trial Chamber II, “Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona”, 11 December 2019, ICC-01/14-01/18-403-Conf.

² Defence, “Defence request for a swift transmission of the case record to the Presidency pursuant to Rule 129 of the Rules of Procedure and Evidence”, 26 February 2020, ICC-01/14-01/18-434.

³ Prosecution, “Prosecution’s Request for Reconsideration of, or alternatively Leave to Appeal, the ‘Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona’”, 2 March 2020, ICC-01/14-01/18-437.

⁴ Common Legal Representatives, “Common Legal Representatives’ Joint Response to the

6. On the same day the Defence for Mr. Yekatom submitted the “Yekatom Defence Opposition to Prosecution’s Request for Reconsideration or Leave to Appeal Confirmation Decision”.⁵
7. On 11 March 2020, the Chamber issued its “Decision on the Prosecutor’s request for reconsideration or, in the alternative, leave to appeal the ‘Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona”⁶ in which it, amongst others, ordered “the Registrar to transmit to the Presidency the Confirmation Decision and the record of the proceedings of the Chamber”.
8. On 13 March 2020, the Registry transmitted “[...] to the Presidency [...] the record of the proceedings, including the Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona”.⁷
9. On 16 March 2020, The Presidency issued its “Decision constituting Trial Chamber V and referring to it the case of *The Prosecutor v. Alfred Yekatom and Patrice--Edouard Ngaïssona*”⁸ (“Decision”) in which it, among others, ordered “the Registrar “, pursuant to rule 130 of the Rules, to transmit the full record of the proceedings in the above mentioned case to Trial Chamber V, including the Decision Confirming the Charges”.

Prosecution’s Request for Reconsideration or Leave to Appeal”, 6 March 2020, ICC-01/14-01/18-442.

⁵ Defence, “Yekatom Defence Opposition to Prosecution’s Request for Reconsideration or Leave to Appeal Confirmation Decision”, 6 March 2020, ICC-01/14-01/18-443.

⁶ Pre-Trial Chamber II, “Decision on the Prosecutor’s request for reconsideration or, in the alternative, leave to appeal the ‘Decision on the confirmation of charges against Alfred Yekatom and Patrice Edouard Ngaïssona””, 11 March 2020, ICC-01/14-01/18-447.

⁷ Registry, “Transmission to the Presidency of the record of the proceedings, including the Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona”, 13 March 2020, ICC-01/14-01/18-449 including its Annexes.

⁸ Presidency, “Decision constituting Trial Chamber V and referring to it the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*”, 16 March 2020, ICC-01/14-01/18-451.

II. CLASSIFICATION

10. Annex 1 to the present document is classified as Under Seal *ex parte* Registry only, and annexes 2 and 3 as Confidential *ex parte* Registry only, as they respectively contain information under the same classification.

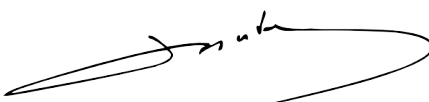
III. APPLICABLE LAW

11. This filing is submitted pursuant to rule 129 of the Rules of Procedure and Evidence, regulation 23*bis* (1) of the Regulations of the Court and in compliance with the Decision.

IV. SUBMISSIONS

12. The Registry hereby transmits to Trial Chamber V the record of the proceedings as follows:

- i. Index of all Court Records in the case (Annex 1);
- ii. Index of all Transcripts in the case (Annex 2);
- iii. Index of all Evidence registered in the case (Annex 3)



Marc Dubuisson, Director, Division of Judicial Services
on behalf of
Peter Lewis, Registrar

Dated this 17 March 2020

At The Hague, The Netherlands