

ANNEX 1

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Version

From: Trial Chamber V Communications
Sent: 01 November 2022 13:00
To: OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on Submitted Materials for P-1704
Attachments: Prosecution Submission of evidence following the examination of P-1704

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Counsel, dear colleagues from the Registry,

The Chamber takes note of the emails on the submission of evidence following the examination of P-1704 by the Yekatom Defence (see email below) and the Prosecution (see email attached).

At the outset, the Chamber notes that items CAR-OTP-2084-1307 and CAR-OTP-2122-2366 have already been recognised as formally submitted by the Chamber. It recalls therefore that it need not rule on these items again.

Further, the Chamber notes that items CAR-OTP-2012-0523, CAR-OTP-2118-5507 and CAR-OTP-2118-5547 were introduced into evidence as part of P-1704's prior recorded testimony subject to the fulfilment of the legal requirements of Rule 68(3) of the Rules (Decision ICC-01/14-01/18-1364-Conf). However, it notes that these items had previously been introduced into evidence as part of P-1811's prior recorded testimony subject to the fulfilment of the legal requirements of Rule 68(3) of the Rules (Decision ICC-01/14-01/18-1317-Conf), and that these requirements were met during the testimony of P-1811, which took place on 30 and 31 March 2022, before P-1704's testimony (T-114, p. 8, lines 18-21). The Chamber subsequently confirmed that the Rule 68(3) requirements had been met for these items (email decision on submitted materials for P-1811, 10 October 2022, at 17:41).

In light of the above, the Chamber recognises as formally submitted the following item:

Doc ID	Title	Type
CAR-OTP-2065-4585	AA010201.MXF	Audio / Video Material

In addition, the Chamber confirms that the requirements of Rule 68(3) of the Rules have been met for the following items:

Doc ID	Title	Type
CAR-OTP-2054-1136	WITNESS STATEMENT	ICC Statement - General
CAR-OTP-2104-0576	Traduction d'élément de preuve / DÉCLARATION DE TÉMOIN / WITNESS STATEMENT	ICC Statement - Translation - FRA
CAR-OTP-2136-0486	Traduction d'élément de preuve / CAR-1704 statement reading with corrections 29.04.2022.pdf	ICC Statement - Translation - FRA
CAR-OTP-2054-1150	ANNEX A	Sketch

The Registry is directed to proceed in accordance with paragraph 63(v) of the Initial Directions, ICC-01/14-01/18-631.

Kind regards, TC V

From: [REDACTED]
Sent: 05 May 2022 16:34
To: Trial Chamber V Communications [REDACTED]
Cc: OTP CAR IIB Case Management [REDACTED]; OTP CAR IIB Managers [REDACTED]; D30 Ngaissona Defence Team [REDACTED] D29 Yekatom Defence Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED] V44 LRV Team OPCV [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]
Subject: Yekatom Defence submission of evidence following the examination of P-1704

Dear Trial Chamber V,

In accordance with paragraph 63(i) of the Initial Directions of the Conduct of the Proceedings (ICC-01/14-01/18-631), the Defence for Mr Yekatom respectfully seeks the formal submission of the following documents used during its examination of witness of witness P-1704.

Count	Document ID	Title	Confidentiality Level	EVD - Date Used	WIT - Used Through	Used By	Document Type
1	CAR-OTP-2065-4585	AA010201.MXF	Public	05/05/2022	CAR-OTP-P-1704	D29	Audio / Video Material
2	CAR-OTP-2084-1307	PB001802.mov	Public	31/03/2022 05/05/2022	CAR-OTP-P-1704 CAR-OTP-P-1811	D29	Audio / Video Material
3	CAR-OTP-2122-2366	Traduction / Transcription de document audio/vidéo / PB001802.mov	Confidential	31/03/2022 05/05/2022	CAR-OTP-P-1704 CAR-OTP-P-1811	D29	Translation - FRA

Kind regards,

[REDACTED]
 Legal Consultant
 Yekatom Defence

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From: [REDACTED]
Sent: 06 May 2022 14:20
To: Trial Chamber V Communications
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; OTP CAR IIB Case Management; OTP CAR IIB Operations; [REDACTED] Associate Legal Officer-Court Officer; [REDACTED]
Subject: Prosecution Submission of evidence following the examination of P-1704

Dear Trial Chamber V,

In accordance with paragraph 63(i) of the *Initial Directions of the Conduct of the Proceedings* (ICC-01/14-01/18-631, "Directions"), the Prosecution requests that the following items be recognised as formally submitted:

- (i) 7 items submitted under Rule 68(3) (including the corrections to statement CAR-OTP-2136-0486) at the start of P-1704's testimony (see ICC-01/14-01/18-1364-Red, paras. 7-20 and p.15; and ICC-01/14-01/18-T-128-CONF ENG RT, p.9, l.13-p.11, l.24)

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participant Tendering	Request Submission
1	CAR-OTP-2054-1136	Rule 68(3)	ICC Statement - General	05-May-22	OTP	YES
2	CAR-OTP-2054-1150	Rule 68(3)	Sketch	05-May-22	OTP	YES
3	CAR-OTP-2104-0576	Rule 68(3)	ICC Statement - Translation - FRA	05-May-22	OTP	YES
4	CAR-OTP-2136-0486	Rule 68(3)	ICC Statement - Translation - FRA	05-May-22	OTP	YES
5	CAR-OTP-2012-0523	Rule 68(3)	Audio / Video Material	05-May-22	OTP	YES
6	CAR-OTP-2118-5507	Rule 68(3)	Transcript	05-May-22	OTP	YES
7	CAR-OTP-2118-5547	Rule 68(3)	Translation - FRA	05-May-22	OTP	YES

- (ii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-1704, to the extent these items are not submitted by the YEKATOM Defence :

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participant Tendering	Request Submission
1	CAR-OTP-2084-1307	CAR-OTP-P-1704	Audio / Video Material	05-May-22	D29	YES
2	CAR-OTP-2122-2366	CAR-OTP-P-1704	Translation - FRA	05-May-22	D29	YES
3	CAR-OTP-2065-4585	CAR-OTP-P-1704	Audio / Video Material	05-May-22	D29	YES

Kind regards,

[REDACTED]
OTP Case Manager