

ANNEX 1

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Version

From: Trial Chamber V Communications
Sent: 28 June 2023 11:40
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-1786
Attachments: Prosecution Submission of evidence following the examination of P-1786

Follow Up Flag: Follow up
Flag Status: Flagged

[ICC] RESTRICTED

Dear Counsel, dear colleagues from the Registry,

The Chamber takes note of the emails on the submission of evidence following the examination of P-1786 by the Prosecution and the Yekatom Defence (*see emails below and attached*).

At the outset, the Chamber notes that items CAR-OTP-2095-5254, CAR-OTP-2095-5556, CAR-OTP-2095-5474, CAR-OTP-2095-5517, CAR-OTP-2095-5570, CAR-OTP-2127-3668, CAR-OTP-2065-2903, CAR-OTP-2065-3220, CAR-OTP-2065-4085, CAR-D29-0006-1326, CAR-OTP-2112-1378 and CAR-D29-0006-0759 have already been recognised as submitted, and therefore it need not rule on them again.

In addition, the Chamber observes that items CAR-OTP-2065-3412, CAR-OTP-2125-0470 and CAR-OTP-2065-4496 have been introduced into evidence pursuant to Rule 68(3) of the Rules through P-1819, subject to the fulfilment of the requirements of the rule. However, noting that P-1819 has 'definitively withdrawn [her] cooperation' and is not expected to be called by the Prosecution to testify (*see email from the Prosecution, 1 June 2023, at 17:27*), the Chamber recognises these items as submitted through P-1786.

In light of the above, and in the absence of any procedural bars, the Chamber recognises as formally submitted the following items:

Doc ID	Title	Type
CAR-OTP-2005-0129	War in the Central African Republic (Full Length)	Audio / Video Material
CAR-OTP-2130-1307	Traduction / Transcription de document audio/vidéo / War in the Central African Republic (Full Length)	Translation - FRA
CAR-OTP-00000810	Traduction / Transcription de document audio/vidéo / AA019201.MXF	Translation - FRA
CAR-OTP-2065-3412	AA000901.MXF	Audio / Video Material
CAR-OTP-2125-0470	Traduction / Transcription de document audio/vidéo / AA000901.MXF	Translation - FRA
CAR-OTP-2065-4605	AA010701.MXF	Audio / Video Material
CAR-D29-0006-1321	Traduction de CAR-OTP-2065-4605	Translation - FR

CAR-OTP-2065-4496	AA008501.MXF	Audio / Video Material
CAR-D29-0006-1334	Transcription of CAR-OTP-2065-4496	Transcript
CAR-OTP-2065-5584	AA004401.MXF	Audio / Video Material
CAR-D29-0006-1327	Traduction de CAR-OTP-2065-5584	Translation - FR

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-2058-0200	WITNESS STATEMENT	ICC Statement - General
CAR-OTP-2102-0217	Traduction d'élément de preuve / DÉCLARATION DE TÉMOIN / WITNESS STATEMENT	ICC Statement - Translation - FRA
CAR-OTP-00000843	Notes et observations SR du 30/01/22	ICC Witness Preparation Log / Clarification
CAR-OTP-00000842	EXPLANATORY NOTE - CORRECTION OF STATEMENT BY A THIRD PARTY	ICC Witness Preparation Log / Clarification
CAR-OTP-2058-0216	ANNEX A	Satellite images and related reports

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: 02 February 2023 16:40
To: Trial Chamber V Communications [REDACTED] >
Cc: OTP CAR IIB [REDACTED]; D30 Ngaissona Defence Team [REDACTED]
Associate Legal Officer-Court Officer [REDACTED] V44 LRV Team
[REDACTED]; V44 LRV Team OPCV [REDACTED] V45 LRV Team
[REDACTED] D29 Yekatom Defence Team [REDACTED] >
Subject: Yekatom Defence submission of evidence following the examination of P-1786

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 Yekatom Defence requests the formal submission of the following items used during P-1647's testimony:

Count	Document ID	Title	Document Type	WIT - Used Through	WIT - Used By
1.	CAR-D29-0006-0759	Transcription of CAR-OTP-2112-1378	Transcript	CAR-OTP-P-1786	D29
2.	CAR-D29-0006-1321	Traduction de CAR-OTP-2065-4605	Translation - FR	CAR-OTP-P-1786	D29
3.	CAR-D29-0006-1326	Transcription de CAR-OTP-2065-4085	Transcript	CAR-OTP-P-1647 CAR-OTP-P-1786	D29
4.	CAR-D29-0006-1327	Traduction de CAR-OTP-2065-5584	Translation - FR	CAR-OTP-P-1786	D29
5.	CAR-D29-0006-1334	Transcription of CAR-OTP-2065-4496	Transcript	CAR-OTP-P-1786	D29
6.	CAR-OTP-2065-4085	AA013601.MXF	Audio / Video Material	CAR-OTP-P-1647	D29

				CAR-OTP-P-1786	
7.	CAR-OTP-2065-4496	AA008501.MXF	Audio / Video Material	CAR-OTP-P-1786	D29
8.	CAR-OTP-2065-4605	AA010701.MXF	Audio / Video Material	CAR-OTP-P-1786	D29
9.	CAR-OTP-2065-5584	AA004401.MXF	Audio / Video Material	CAR-OTP-P-1786	D29
10.	CAR-OTP-2095-5474	_ZUM3477.JPG	Photograph/s	CAR-OTP-P-1647	D29
				CAR-OTP-P-1786	OTP
11.	CAR-OTP-2112-1378	anti balaka svl.3gp	Audio / Video Material	CAR-OTP-P-1647	D29
				CAR-OTP-P-1786	

Best regards,



Legal Intern – Yekatom Defence Team

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From: OTP CAR IIB
Sent: 02 February 2023 14:10
To: Trial Chamber V Communications
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; [REDACTED] Associate Legal Officer-Court Officer; [REDACTED] OTP CAR IIB
Subject: Prosecution Submission of evidence following the examination of P-1786

Dear Trial Chamber V,

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

- i. Documents discussed with the witness during the course of his examination by the Prosecution:

Count	Doc ID	WIT – Used through	Document Type	EVD - Date	EVD – Participant Tendering	Request Submission
1	CAR-OTP-00000810	P-1786	Translation - FRA	31/01/23	OTP	YES
2	CAR-OTP-2005-0129	P-1786	Audio / Video Material	31/01/23	OTP	YES
3	CAR-OTP-2065-2903	P-1786	Audio / Video Material	31/01/23	OTP	YES
4	CAR-OTP-2065-3220	P-1786	Audio / Video Material	31/01/23	OTP	YES
5	CAR-OTP-2065-3412	P-1786	Audio / Video Material	31/01/23	OTP	YES
6	CAR-OTP-2095-5254	P-1786	Photograph/s	31/01/23	OTP	YES
7	CAR-OTP-2095-5474	P-1786	Photograph/s	31/01/23	OTP	YES
8	CAR-OTP-2095-5517	P-1786	Photograph/s	31/01/23	OTP	YES
9	CAR-OTP-2095-5556	P-1786	Photograph/s	31/01/23	OTP	YES
10	CAR-OTP-2095-5570	P-1786	Photograph/s	31/01/23	OTP	YES
11	CAR-OTP-2125-0470	P-1786	Translation - FRA	31/01/23	OTP	YES
12	CAR-OTP-2127-3668	P-1786	Translation - FRA	31/01/23	OTP	YES
13	CAR-OTP-2130-1307	P-1786	Translation - FRA	31/01/23	OTP	YES

- ii. four items submitted under Rule 68(3) at the start of P-1786's testimony, including the corrections made by the witness to his Prior Statement during the familiarisation process (ICC-01/14-01/18-1661-Conf, p. 33; ICC-01/14-01/18-T-197 ENG RT, p. 17, l. 13-p. 22, l. 23:

Count	Doc ID	WIT-Used through	Document Type	EVD - Date	EVD – Participant Tendering	Request Submission
1.	CAR-OTP-2058-0200	P-1786	ICC Statement - General	11/11/22	OTP	YES
2.	CAR-OTP-2058-0216	P-1786	Satellite images and related reports	11/11/22	OTP	YES
3.	CAR-OTP-2102-0217	P-1786	ICC Statement - Translation - FRA	11/11/22	OTP	YES

4.	CAR-OTP-00000843	P-1786	ICC Witness Preparation Log / Clarification	31/01/23	OTP	YES
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- iii. The Prosecution also seeks to submit the following items used during the course of the YEKATOM Defence's examination of the witness , to the extent these items are not submitted by the YEKATOM Defence:

Count	Doc ID	WIT – Used through	Document Type	EVD - Date	EVD – Participant Tendering	Request Submission
1	CAR-D29-0006-1321	P-1786	Translation - FR	1/02/23	OTP	YES
2	CAR-D29-0006-1334	P-1786	Transcript	1/02/23	OTP	YES
3	CAR-OTP-2065-4496	P-1786	Audio / Video Material	1/02/23	OTP	YES
4	CAR-OTP-2065-4605	P-1786	Audio / Video Material	1/02/23	OTP	YES

The Prosecution notes that other material used in the course of P-1786's testimony has already been officially submitted through prior witnesses and therefore does not appear in the above list.

Kind regards,
On behalf of OTP Trial Team