

ANNEX 1

PUBLIC

From: Trial Chamber V Communications
Sent: 04 May 2021 11:44
To: OTP CAR IIB Case Management; OTP CAR IIB Managers; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Associate Legal Officer-Court Officer
Cc: Trial Chamber V Communications; Chamber Decisions Communication
Subject: Decision on Submitted Materials for P-2193 - Corrigendum
Attachments: Yekatom Defence Submission of evidence following the examination of P-2193; Prosecution Submission of evidence following the examination of P-2193; RE: Prosecution Submission of evidence following the examination of P-2193; RE: Prosecution Submission of evidence following the examination of P-2193

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Evidence, Yekatom and Ngaissona

Dear counsel, dear colleagues from the Registry,

The Chamber notes the objection by the Ngaissona Defence (the ‘Defence’) to the Prosecution’s request to formally submit items CAR-OTP-2088-2204 (Audio / Video Material), CAR-OTP-2127-6281 (Transcript of CAR-OTP-2088-2204) and CAR-OTP-2127-6408 (French translation of CAR-OTP-2088-2204) used during the testimony of witness P-2193 (see email from the [Ngaissona Defence, 24 March 2021, at 13:36](#)). The Defence argues that these three items may not be tendered into evidence at this stage because they concern a video, which was allegedly taken by another witness, P-2049, and cannot be severed from P-2049’s testimony. It submits that aspects related to the context and timing of the video need to be discussed and clarified with P-2049 in order to eventually challenge the video’s authenticity and reliability.

The Chamber observes that there exists no preclusion to the submission into evidence of an item used during the testimony of a witness, which is related to and/or produced by another witness. More generally, none of the arguments raised by the Defence at this stage are of such nature that would render the concerned video inadmissible under the Court’s legal framework and consequently preclude its submission into evidence. The Chamber recalls that as part of its deliberation of the judgment pursuant to Article 74(2) of the Statute, it will assess the evidence holistically, and in that context consider the relevance and probative value of the items of evidence submitted at trial, including any related arguments raised by the participants in the proceedings (ICC-01/14-01/18-631, para. 53).

Should the Defence, in light of any relevant information obtained during P-2049’s testimony, eventually intend to challenge the relevance and probative value of the video concerned – including in terms of its authenticity and/or reliability – it will be in a position to do so. In other words, the submission into evidence of these items at this stage in no way impacts on the Defence’s ability, later in the proceedings, to advance any appropriate argument militating against the Chamber’s eventual reliance on these items for the purpose of its decision under Article 74(2) of the Statute.

In light of the above and noting the absence of grounds precluding the submission of these items at this point, the Chamber recognises as formally submitted the following items submitted by the Prosecution (email from the Prosecution, 22 March 2021, at 16:43) and the Yekatom Defence (email from the Yekatom Defence, 22 March 2021, at 12:14):

- CAR-OTP-2088-2204
- CAR-OTP-2127-6281
- CAR-OTP-2127-6408
- CAR-OTP-2085-3122

- CAR-OTP-2130-1265
- CAR-OTP-2130-1412
- CAR-D29-0003-0012
- CAR-D29-0005-0144
- CAR-D29-0008-0001
- CAR-OTP-2121-2859
- CAR-OTP-2126-0269.

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

- CAR-OTP-2118-9140
- CAR-OTP-2118-9829
- CAR-OTP-2118-9830
- CAR-OTP-2122-8984
- CAR-OTP-2122-8986
- CAR-OTP-2127-3932
- CAR-OTP-2001-5350
- CAR-OTP-2001-5351
- CAR-OTP-2079-0671
- CAR-OTP-2127-6617
- CAR-OTP-2127-6626
- CAR-OTP-2127-6633
- CAR-OTP-2127-6634
- CAR-OTP-2127-6645
- CAR-OTP-2127-6646
- CAR-OTP-2127-6647
- CAR-OTP-2127-6648
- CAR-OTP-2127-6649
- CAR-OTP-2127-6650
- CAR-OTP-2127-6651
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- CAR-OTP-2127-6662
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- CAR-OTP-2127-6664
- CAR-OTP-2127-6667
- CAR-OTP-2127-6668
- CAR-OTP-2127-6669
- CAR-OTP-2127-6670
- CAR-OTP-2127-6671
- CAR-OTP-2127-6672
- CAR-OTP-2127-6673
- CAR-OTP-2127-6676
- CAR-OTP-2127-6677
- CAR-OTP-2130-0304
- CAR-OTP-2127-6678
- CAR-OTP-2127-6679
- CAR-OTP-2127-6680

- CAR-OTP-2127-6681
- CAR-OTP-2127-6682
- CAR-OTP-2127-6683
- CAR-OTP-2127-6684
- CAR-OTP-2127-6685
- CAR-OTP-2127-6686
- CAR-OTP-2127-6687
- CAR-OTP-2127-6688
- CAR-OTP-2127-6689
- CAR-OTP-2127-6690
- CAR-OTP-2127-6691
- CAR-OTP-2127-6692
- CAR-OTP-2127-6693.

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

Kind regards, TC V

From: Trial Chamber V Communications [REDACTED]
Sent: 03 May 2021 19:09
To: OTP CAR IIB Case Management [REDACTED] OTP CAR IIB Managers
 [REDACTED] D29 Yekatom Defence Team [REDACTED]; D30
 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED]
 [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]
 Associate Legal Officer-Court Officer [REDACTED]
Cc: Trial Chamber V Communications [REDACTED]; Chamber Decisions Communication
 [REDACTED]
Subject: Decision on Submitted Materials for P-2193

Dear counsel, dear colleagues from the Registry,

The Chamber notes the objection by the Ngaissona Defence (the 'Defence') to the Prosecution's request to formally submit items CAR-OTP-2088-2204 (Audio / Video Material), CAR-OTP-2127-6281 (Transcript of CAR-OTP-2088-2204) and CAR-OTP-2127-6408 (French translation of CAR-OTP-2088-2204) used during the testimony of witness P-2193 (see email from the Yekatom Defence, 22 March 2021, at 12:14). The Defence argues that these three items may not be tendered into evidence at this stage because they concern a video, which was allegedly taken by another witness, P-2049, and cannot be severed from P-2049's testimony. It submits that aspects related to the context and timing of the video need to be discussed and clarified with P-2049 in order to eventually challenge the video's authenticity and reliability.

The Chamber observes that there exists no preclusion to the submission into evidence of an item used during the testimony of a witness, which is related to and/or produced by another witness. More generally, none of the arguments raised by the Defence at this stage are of such nature that would render the concerned video inadmissible under the Court's legal framework and consequently preclude its submission into evidence. The Chamber recalls that as part of its deliberation of the judgment pursuant to Article 74(2) of the Statute, it will assess the evidence holistically, and in that context consider the relevance and probative value of the items of evidence submitted at trial, including any related arguments raised by the participants in the proceedings (ICC-01/14-01/18-631, para. 53).

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against the Chamber's eventual reliance on these items for the purpose of its decision under Article 74(2) of the Statute.

In light of the above and noting the absence of grounds precluding the submission of these items at this point, the Chamber recognises as formally submitted the following items submitted by the Prosecution (email from the Prosecution, 22 March 2021, at 16:43) and the Yekatom Defence (email from the Yekatom Defence, 22 March 2021, at 12:14):

- CAR-OTP-2088-2204
- CAR-OTP-2127-6281
- CAR-OTP-2127-6408
- CAR-OTP-2085-3122
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- CAR-D29-0003-0012
- CAR-D29-0005-0144
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- CAR-OTP-2121-2859
- CAR-OTP-2126-0269.

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- CAR-OTP-2001-5351
- CAR-OTP-2079-0671
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- CAR-OTP-2127-6633
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- CAR-OTP-2127-6667
- CAR-OTP-2127-6668

- CAR-OTP-2127-6669
- CAR-OTP-2127-6670
- CAR-OTP-2127-6671
- CAR-OTP-2127-6672
- CAR-OTP-2127-6673
- CAR-OTP-2127-6676
- CAR-OTP-2127-6677
- CAR-OTP-2130-0304
- CAR-OTP-2127-6678
- CAR-OTP-2127-6679
- CAR-OTP-2127-6680
- CAR-OTP-2127-6681
- CAR-OTP-2127-6682
- CAR-OTP-2127-6683
- CAR-OTP-2127-6684
- CAR-OTP-2127-6685
- CAR-OTP-2127-6686
- CAR-OTP-2127-6687
- CAR-OTP-2127-6688
- CAR-OTP-2127-6689
- CAR-OTP-2127-6690
- CAR-OTP-2127-6691
- CAR-OTP-2127-6692
- CAR-OTP-2127-6693.

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

Kind regards, TC V

From: [REDACTED]
Sent: 24 March 2021 21:33
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; Associate Legal Officer-Court Officer; [REDACTED]
Subject: RE: Prosecution Submission of evidence following the examination of P-2193

Dear Trial Chamber V,

The Prosecution takes note of the NGAISSONA Defence's email. The Chamber has chosen a Submission approach to the evaluation of evidence. The Trial Chamber has made clear several times that "...it will not rule on the *admissibility* of each item of evidence during the court of the proceedings" (ICC-01/14-01/18-631, para. 53). Thus, such discussions are premature and inapposite.

P-2193 provided his expert opinion on the video (CAR-OTP-2088-2204) of the destruction of buildings in Bossangoa. This expert testimony enhanced the item's relevance and probative value, and is a sufficient basis for the Prosecution to seek its formal submission (ICC-01/14-01/18-631, para. 63). The Prosecution's plan to address the video's authenticity and additional probative value with P-2049 in the future does not preclude the video's submission *at this stage*. The granular analysis of the timing of submission of each piece of evidence advanced by the Defence is at odds with the Chamber's approach.

The video, transcript, and translation, was on the Prosecution's List of Materials submitted in accordance with the appropriate deadline. That the Prosecution did not initially plan to submit this video through P-2193 is irrelevant. The witness's compelling description of the video during direct and cross-examination justifies its timely formal submission "in accordance with the procedure adopted by the trial chamber and discussed at trial." (ICC-01/14-01/18-631, para. 60). The video is clearly relevant to and probative of the issues at trial. Thus, there exists no procedural bar to its submission into evidence at this time.

Kind regards,
 On behalf of Kweku Vanderpuye

From: [REDACTED]
Sent: 24 March 2021 13:36
To: [REDACTED] Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]; OTP CAR IIB Case Management [REDACTED]; OTP CAR IIB Operations [REDACTED] Associate Legal Officer-Court Officer [REDACTED]
Subject: RE: Prosecution Submission of evidence following the examination of P-2193

Dear Trial Chamber V,

The Defence for Mr Ngaissona opposes the request for admission into evidence of the documents CAR-OTP-2088-2204 (Audio / Video Material), CAR-OTP-2127-6281 (Transcript) and CAR-OTP-2127-6408 (Translation FRA) submitted by the Prosecution on 22 March 2021, at 16:43 following P-2193's examination. In the Familiarization Package for P-2193 sent by the Prosecution to the parties on 4 March 2021 at 18:57, the Prosecution had initially provided the information that it will not seek to tender this video into evidence. The Prosecution changed plans and now seeks to tender the video and related transcript and translation. However, the fact that the video was discussed during the course of P-2193's examination does not suffice to justify its introduction into evidence. The video

excerpt that the Prosecution wishes to introduce is a video annexed to witness P-2049, the alleged author of the video, who is scheduled to testify in the courtroom later in the trial. The context of the video taking is essential and therefore the video cannot be severed from P-2049's in-court testimony. Moreover, when showed to witness P-2193, he mentioned that some time had elapsed between the destructions and the video taking (ICC-01/14-01/18-T-019-ENG, pp. 58-59, Ins 12-25 ; 1-3). This point needs to be clarified in the courtroom with P-2049, the author of the video. The parties will have the opportunity to discuss further the context of the video and ask questions in order to eventually challenge its authenticity and reliability during P-2049's examination. Therefore, the video should not be tendered into evidence at the stage of the trial.

Respectfully yours,

██████████
Case Manager – Ngaissona Defence

From: ██████████
Sent: 22 March 2021 16:43
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; Associate Legal Officer-Court Officer ██████████
Subject: Prosecution Submission of evidence following the examination of P-2193

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 Prosecution submits the documents listed below relating to the testimony of witness P-2193. The submitted documents were discussed with the witness during the course of his direct examination. Per paragraph 64 of the same *Directions*, the Prosecution seeks submission of the transcripts and translations of audio-visual materials. The Prosecution, therefore, requests that the following items also be recognised as formally submitted.

(i) Documents discussed with the witness during the course of his direct examination :

Count	Doc ID	WIT - Used through	Type	EVD - Date
1	CAR-OTP-2088-2204	CAR-OTP-P-2193	Audio / Video Material	19-Mar-21
2	CAR-OTP-2127-6281	CAR-OTP-P-2193	Transcript	19-Mar-21
3	CAR-OTP-2127-6408	CAR-OTP-P-2193	Translation - FRA	19-Mar-21
4	CAR-OTP-2085-3122	CAR-OTP-P-2193	Photograph/s	19-Mar-21

(ii) 57 items submitted under Rule 68(3) at the start of P-2193's testimony (ICC-01/14-01/18-907-Conf, paras. 41-44, p. 31-32; ICC-01/14-01/18-T-019 ENG RT, p. 9, Ins. 10-24) :

Count	Doc ID	WIT - Used through	Type	EVD - Date
1	CAR-OTP-2118-9140	Rule 68(3)	Map	19-Mar-21
2	CAR-OTP-2118-9829	Rule 68(3)	Satellite images and related reports	19-Mar-21
3	CAR-OTP-2118-9830	Rule 68(3)	Satellite images and related reports	19-Mar-21
4	CAR-OTP-2122-8984	Rule 68(3)	Correspondence - Letter	19-Mar-21
5	CAR-OTP-2122-8986	Rule 68(3)	Correspondence - Letter	19-Mar-21
6	CAR-OTP-2127-3932	Rule 68(3)	Correspondence - Letter	19-Mar-21
7	CAR-OTP-2001-5350	Rule 68(3)	Satellite images and related reports	19-Mar-21

8	CAR-OTP-2001-5351	Rule 68(3)	Satellite images and related reports	19-Mar-21
9	CAR-OTP-2079-0671	Rule 68(3)	Satellite images and related reports	19-Mar-21
10	CAR-OTP-2127-6617	Rule 68(3)	Satellite images and related reports	19-Mar-21
11	CAR-OTP-2127-6626	Rule 68(3)	Satellite images and related reports	19-Mar-21
12	CAR-OTP-2127-6633	Rule 68(3)	Satellite images and related reports	19-Mar-21
13	CAR-OTP-2127-6634	Rule 68(3)	Satellite images and related reports	19-Mar-21
14	CAR-OTP-2127-6645	Rule 68(3)	Satellite images and related reports	19-Mar-21
15	CAR-OTP-2127-6646	Rule 68(3)	Satellite images and related reports	19-Mar-21
16	CAR-OTP-2127-6647	Rule 68(3)	Satellite images and related reports	19-Mar-21
17	CAR-OTP-2127-6648	Rule 68(3)	Satellite images and related reports	19-Mar-21
18	CAR-OTP-2127-6649	Rule 68(3)	Satellite images and related reports	19-Mar-21
19	CAR-OTP-2127-6650	Rule 68(3)	Satellite images and related reports	19-Mar-21
20	CAR-OTP-2127-6651	Rule 68(3)	Satellite images and related reports	19-Mar-21
21	CAR-OTP-2127-6652	Rule 68(3)	Satellite images and related reports	19-Mar-21
22	CAR-OTP-2127-6653	Rule 68(3)	Satellite images and related reports	19-Mar-21
23	CAR-OTP-2127-6654	Rule 68(3)	Satellite images and related reports	19-Mar-21
24	CAR-OTP-2127-6655	Rule 68(3)	Satellite images and related reports	19-Mar-21
25	CAR-OTP-2127-6656	Rule 68(3)	Satellite images and related reports	19-Mar-21
26	CAR-OTP-2127-6657	Rule 68(3)	Satellite images and related reports	19-Mar-21
27	CAR-OTP-2127-6658	Rule 68(3)	Satellite images and related reports	19-Mar-21
28	CAR-OTP-2127-6659	Rule 68(3)	Satellite images and related reports	19-Mar-21
29	CAR-OTP-2127-6662	Rule 68(3)	Satellite images and related reports	19-Mar-21
30	CAR-OTP-2127-6663	Rule 68(3)	Satellite images and related reports	19-Mar-21
31	CAR-OTP-2127-6664	Rule 68(3)	Satellite images and related reports	19-Mar-21
32	CAR-OTP-2127-6667	Rule 68(3)	Satellite images and related reports	19-Mar-21
33	CAR-OTP-2127-6668	Rule 68(3)	Satellite images and related reports	19-Mar-21
34	CAR-OTP-2127-6669	Rule 68(3)	Satellite images and related reports	19-Mar-21
35	CAR-OTP-2127-6670	Rule 68(3)	Satellite images and related reports	19-Mar-21
36	CAR-OTP-2127-6671	Rule 68(3)	Satellite images and related reports	19-Mar-21
37	CAR-OTP-2127-6672	Rule 68(3)	Satellite images and related reports	19-Mar-21
38	CAR-OTP-2127-6673	Rule 68(3)	Satellite images and related reports	19-Mar-21
39	CAR-OTP-2127-6676	Rule 68(3)	Satellite images and related reports	19-Mar-21
40	CAR-OTP-2127-6677	Rule 68(3)	Satellite images and related reports	19-Mar-21
41	CAR-OTP-2130-0304	Rule 68(3)	Personal data	19-Mar-21
42	CAR-OTP-2127-6678	Rule 68(3)	Satellite images and related reports	19-Mar-21
43	CAR-OTP-2127-6679	Rule 68(3)	Satellite images and related reports	19-Mar-21
44	CAR-OTP-2127-6680	Rule 68(3)	Satellite images and related reports	19-Mar-21

45	CAR-OTP-2127-6681	Rule 68(3)	Satellite images and related reports	19-Mar-21
46	CAR-OTP-2127-6682	Rule 68(3)	Satellite images and related reports	19-Mar-21
47	CAR-OTP-2127-6683	Rule 68(3)	Satellite images and related reports	19-Mar-21
48	CAR-OTP-2127-6684	Rule 68(3)	Satellite images and related reports	19-Mar-21
49	CAR-OTP-2127-6685	Rule 68(3)	Satellite images and related reports	19-Mar-21
50	CAR-OTP-2127-6686	Rule 68(3)	Satellite images and related reports	19-Mar-21
51	CAR-OTP-2127-6687	Rule 68(3)	Satellite images and related reports	19-Mar-21
52	CAR-OTP-2127-6688	Rule 68(3)	Satellite images and related reports	19-Mar-21
53	CAR-OTP-2127-6689	Rule 68(3)	Satellite images and related reports	19-Mar-21
54	CAR-OTP-2127-6690	Rule 68(3)	Satellite images and related reports	19-Mar-21
55	CAR-OTP-2127-6691	Rule 68(3)	Satellite images and related reports	19-Mar-21
56	CAR-OTP-2127-6692	Rule 68(3)	Satellite images and related reports	19-Mar-21
57	CAR-OTP-2127-6693	Rule 68(3)	Satellite images and related reports	19-Mar-21

(iii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-2193, together with its transcript and translation, to the extent these items are not submitted by the YEKATOM Defence :

Count	Doc ID	WIT - Used through	Type	EVD - Date
1	CAR-OTP-2121-2859	CAR-OTP-P-2193	Audio / Video Material	19-Mar-21
2	CAR-OTP-2130-1265	CAR-OTP-P-2193	Transcript	19-Mar-21
3	CAR-OTP-2130-1412	CAR-OTP-P-2193	Translation - FRA	19-Mar-21

Kind regards,



OTP Case Manager

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From: [REDACTED]
Sent: 24 March 2021 13:36
To: [REDACTED] 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; Associate Legal Officer-Court Officer; [REDACTED]
Subject: RE: Prosecution Submission of evidence following the examination of P-2193

Dear Trial Chamber V,

The Defence for Mr Ngaissona opposes the request for admission into evidence of the documents CAR-OTP-2088-2204 (Audio / Video Material), CAR-OTP-2127-6281 (Transcript) and CAR-OTP-2127-6408 (Translation FRA) submitted by the Prosecution on 22 March 2021, at 16:43 following P-2193's examination. In the Familiarization Package for P-2193 sent by the Prosecution to the parties on 4 March 2021 at 18:57, the Prosecution had initially provided the information that it will not seek to tender this video into evidence. The Prosecution changed plans and now seeks to tender the video and related transcript and translation. However, the fact that the video was discussed during the course of P-2193's examination does not suffice to justify its introduction into evidence. The video excerpt that the Prosecution wishes to introduce is a video annexed to witness P-2049, the alleged author of the video, who is scheduled to testify in the courtroom later in the trial. The context of the video taking is essential and therefore the video cannot be severed from P-2049's in-court testimony. Moreover, when showed to witness P-2193, he mentioned that some time had elapsed between the destructions and the video taking (ICC-01/14-01/18-T-019-ENG, pp. 58-59, lns 12-25 ; 1-3). This point needs to be clarified in the courtroom with P-2049, the author of the video. The parties will have the opportunity to discuss further the context of the video and ask questions in order to eventually challenge its authenticity and reliability during P-2049's examination. Therefore, the video should not be tendered into evidence at the stage of the trial.

Respectfully yours,

[REDACTED]
Case Manager – Ngaissona Defence

From: [REDACTED]
Sent: 22 March 2021 16:43
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; Associate Legal Officer-Court Officer; [REDACTED]
Subject: Prosecution Submission of evidence following the examination of P-2193

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 Prosecution submits the documents listed below relating to the testimony of witness P-2193. The submitted documents were discussed with the witness during the course of his direct examination. Per paragraph 64 of the same *Directions*, the Prosecution seeks submission of the transcripts and translations of audio-visual materials. The Prosecution, therefore, requests that the following items also be recognised as formally submitted.

(i) Documents discussed with the witness during the course of his direct examination :

Count	Doc ID	WIT - Used through	Type	EVD - Date

1	CAR-OTP-2088-2204	CAR-OTP-P-2193	Audio / Video Material	19-Mar-21
2	CAR-OTP-2127-6281	CAR-OTP-P-2193	Transcript	19-Mar-21
3	CAR-OTP-2127-6408	CAR-OTP-P-2193	Translation - FRA	19-Mar-21
4	CAR-OTP-2085-3122	CAR-OTP-P-2193	Photograph/s	19-Mar-21

(ii) 57 items submitted under Rule 68(3) at the start of P-2193's testimony (ICC-01/14-01/18-907-Conf, paras. 41-44, p. 31-32; ICC-01/14-01/18-T-019 ENG RT, p. 9, lns. 10-24) :

Count	Doc ID	WIT - Used through	Type	EVD - Date
1	CAR-OTP-2118-9140	Rule 68(3)	Map	19-Mar-21
2	CAR-OTP-2118-9829	Rule 68(3)	Satellite images and related reports	19-Mar-21
3	CAR-OTP-2118-9830	Rule 68(3)	Satellite images and related reports	19-Mar-21
4	CAR-OTP-2122-8984	Rule 68(3)	Correspondence - Letter	19-Mar-21
5	CAR-OTP-2122-8986	Rule 68(3)	Correspondence - Letter	19-Mar-21
6	CAR-OTP-2127-3932	Rule 68(3)	Correspondence - Letter	19-Mar-21
7	CAR-OTP-2001-5350	Rule 68(3)	Satellite images and related reports	19-Mar-21
8	CAR-OTP-2001-5351	Rule 68(3)	Satellite images and related reports	19-Mar-21
9	CAR-OTP-2079-0671	Rule 68(3)	Satellite images and related reports	19-Mar-21
10	CAR-OTP-2127-6617	Rule 68(3)	Satellite images and related reports	19-Mar-21
11	CAR-OTP-2127-6626	Rule 68(3)	Satellite images and related reports	19-Mar-21
12	CAR-OTP-2127-6633	Rule 68(3)	Satellite images and related reports	19-Mar-21
13	CAR-OTP-2127-6634	Rule 68(3)	Satellite images and related reports	19-Mar-21
14	CAR-OTP-2127-6645	Rule 68(3)	Satellite images and related reports	19-Mar-21
15	CAR-OTP-2127-6646	Rule 68(3)	Satellite images and related reports	19-Mar-21
16	CAR-OTP-2127-6647	Rule 68(3)	Satellite images and related reports	19-Mar-21
17	CAR-OTP-2127-6648	Rule 68(3)	Satellite images and related reports	19-Mar-21
18	CAR-OTP-2127-6649	Rule 68(3)	Satellite images and related reports	19-Mar-21
19	CAR-OTP-2127-6650	Rule 68(3)	Satellite images and related reports	19-Mar-21

20	CAR-OTP-2127-6651	Rule 68(3)	Satellite images and related reports	19-Mar-21
21	CAR-OTP-2127-6652	Rule 68(3)	Satellite images and related reports	19-Mar-21
22	CAR-OTP-2127-6653	Rule 68(3)	Satellite images and related reports	19-Mar-21
23	CAR-OTP-2127-6654	Rule 68(3)	Satellite images and related reports	19-Mar-21
24	CAR-OTP-2127-6655	Rule 68(3)	Satellite images and related reports	19-Mar-21
25	CAR-OTP-2127-6656	Rule 68(3)	Satellite images and related reports	19-Mar-21
26	CAR-OTP-2127-6657	Rule 68(3)	Satellite images and related reports	19-Mar-21
27	CAR-OTP-2127-6658	Rule 68(3)	Satellite images and related reports	19-Mar-21
28	CAR-OTP-2127-6659	Rule 68(3)	Satellite images and related reports	19-Mar-21
29	CAR-OTP-2127-6662	Rule 68(3)	Satellite images and related reports	19-Mar-21
30	CAR-OTP-2127-6663	Rule 68(3)	Satellite images and related reports	19-Mar-21
31	CAR-OTP-2127-6664	Rule 68(3)	Satellite images and related reports	19-Mar-21
32	CAR-OTP-2127-6667	Rule 68(3)	Satellite images and related reports	19-Mar-21
33	CAR-OTP-2127-6668	Rule 68(3)	Satellite images and related reports	19-Mar-21
34	CAR-OTP-2127-6669	Rule 68(3)	Satellite images and related reports	19-Mar-21
35	CAR-OTP-2127-6670	Rule 68(3)	Satellite images and related reports	19-Mar-21
36	CAR-OTP-2127-6671	Rule 68(3)	Satellite images and related reports	19-Mar-21
37	CAR-OTP-2127-6672	Rule 68(3)	Satellite images and related reports	19-Mar-21
38	CAR-OTP-2127-6673	Rule 68(3)	Satellite images and related reports	19-Mar-21
39	CAR-OTP-2127-6676	Rule 68(3)	Satellite images and related reports	19-Mar-21
40	CAR-OTP-2127-6677	Rule 68(3)	Satellite images and related reports	19-Mar-21
41	CAR-OTP-2130-0304	Rule 68(3)	Personal data	19-Mar-21
42	CAR-OTP-2127-6678	Rule 68(3)	Satellite images and related reports	19-Mar-21
43	CAR-OTP-2127-6679	Rule 68(3)	Satellite images and related reports	19-Mar-21
44	CAR-OTP-2127-6680	Rule 68(3)	Satellite images and related reports	19-Mar-21
45	CAR-OTP-2127-6681	Rule 68(3)	Satellite images and related reports	19-Mar-21
46	CAR-OTP-2127-6682	Rule 68(3)	Satellite images and related reports	19-Mar-21

47	CAR-OTP-2127-6683	Rule 68(3)	Satellite images and related reports	19-Mar-21
48	CAR-OTP-2127-6684	Rule 68(3)	Satellite images and related reports	19-Mar-21
49	CAR-OTP-2127-6685	Rule 68(3)	Satellite images and related reports	19-Mar-21
50	CAR-OTP-2127-6686	Rule 68(3)	Satellite images and related reports	19-Mar-21
51	CAR-OTP-2127-6687	Rule 68(3)	Satellite images and related reports	19-Mar-21
52	CAR-OTP-2127-6688	Rule 68(3)	Satellite images and related reports	19-Mar-21
53	CAR-OTP-2127-6689	Rule 68(3)	Satellite images and related reports	19-Mar-21
54	CAR-OTP-2127-6690	Rule 68(3)	Satellite images and related reports	19-Mar-21
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56	CAR-OTP-2127-6692	Rule 68(3)	Satellite images and related reports	19-Mar-21
57	CAR-OTP-2127-6693	Rule 68(3)	Satellite images and related reports	19-Mar-21

- (iii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-2193, together with its transcript and translation, to the extent these items are not submitted by the YEKATOM Defence :

Count	Doc ID	WIT - Used through	Type	EVD - Date
1	CAR-OTP-2121-2859	CAR-OTP-P-2193	Audio / Video Material	19-Mar-21
2	CAR-OTP-2130-1265	CAR-OTP-P-2193	Transcript	19-Mar-21
3	CAR-OTP-2130-1412	CAR-OTP-P-2193	Translation - FRA	19-Mar-21

Kind regards,



OTP Case Manager

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From: [REDACTED]
Sent: 22 March 2021 16:43
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; Associate Legal Officer-Court Officer; [REDACTED]
Subject: Prosecution Submission of evidence following the examination of P-2193

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 Prosecution submits the documents listed below relating to the testimony of witness P-2193. The submitted documents were discussed with the witness during the course of his direct examination. Per paragraph 64 of the same *Directions*, the Prosecution seeks submission of the transcripts and translations of audio-visual materials. The Prosecution, therefore, requests that the following items also be recognised as formally submitted.

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49	CAR-OTP-2127-6685	Rule 68(3)	Satellite images and related reports	19-Mar-21

50	CAR-OTP-2127-6686	Rule 68(3)	Satellite images and related reports	19-Mar-21
51	CAR-OTP-2127-6687	Rule 68(3)	Satellite images and related reports	19-Mar-21
52	CAR-OTP-2127-6688	Rule 68(3)	Satellite images and related reports	19-Mar-21
53	CAR-OTP-2127-6689	Rule 68(3)	Satellite images and related reports	19-Mar-21
54	CAR-OTP-2127-6690	Rule 68(3)	Satellite images and related reports	19-Mar-21
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- (iii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-2193, together with its transcript and translation, to the extent these items are not submitted by the YEKATOM Defence :

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Kind regards,



OTP Case Manager

From: [REDACTED]
Sent: 22 March 2021 12:14
To: Trial Chamber V Communications
Cc: D30 Ngaissona Defence Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; D29 Yekatom Defence Team; Associate Legal Officer-Court Officer
Subject: Yekatom Defence Submission of evidence following the examination of P-2193

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) and following the conclusion of the examination of P-2193 by all the participants, the Defence of Mr. Yekatom requests the submission of the following items used during the hearing as evidence:

Count	Doc ID	Title	WIT - Used Through	EVD - Date Used	Used By	Request Submission
1	CAR-D29-0003-0012	PK5 Junction	CAR-OTP-P-2193	19-Mar-2021	D29	Yes
2	CAR-D29-0005-0144	Comparision between CAR-OTP-2121-2859 & YouTube Reopening of the Boeing Mosque	CAR-OTP-P-2193	19-Mar-2021	D29	Yes
3	CAR-D29-0008-0001	Bangui: Réouverture de la mosquée de Boeing	CAR-OTP-P-2193	19-Mar-2021	D29	Yes
4	CAR-OTP-2121-2859	20200115_095843.mp4	CAR-OTP-P-2193	19-Mar-2021	D29	Yes
5	CAR-OTP-2126-0269-R01	ANNEX	CAR-OTP-P-2193	19-Mar-2021	D29	Yes
6	CAR-OTP-2127-6626	UNOSAT_Annex1_20201028.pdf	CAR-OTP-P-2193	19-Mar-2021	OTP D29	Yes

Kind regards,

[REDACTED]
Case Manager

Yekatom Defence

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