

# **ANNEX 1**

## **PUBLIC**

**From:** Trial Chamber V Communications  
**Sent:** 22 June 2021 11:32  
**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; Chamber Decisions Communication; Associate Legal Officer-Court Officer  
**Cc:** Trial Chamber V Communications  
**Subject:** Decision on submitted materials for P-2012  
**Attachments:** RE: Prosecution Submission of evidence following the examination of P-2012; Ngaissona Defence Submission of Evidence following the examination of P-2012; Yekatom Defence Submission of evidence following the examination of P-2012

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Yekatom and Ngaissona

Dear counsel, dear colleagues from the Registry,

The Chamber takes note of the items submitted by the Prosecution (email from the Prosecution, 28 April 2021, at 16:07), the Ngaissona Defence (email from the Ngaissona Defence, 29 April 2021, at 16:48) and the Yekatom Defence (email from the Yekatom Defence, 28 April 2021, at 18:31) for witness P-2012.

The Chamber recognises as formally submitted item CAR-D29-0002-0031.

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

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| CAR-OTP-2091-0127 | CAR-OTP-2091-0302 | CAR-OTP-2091-0322 |
| CAR-OTP-2122-4221 | CAR-OTP-2091-0303 | CAR-OTP-2091-0323 |
| CAR-OTP-2091-0149 | CAR-OTP-2091-0304 | CAR-OTP-2091-0324 |
| CAR-OTP-2091-0163 | CAR-OTP-2091-0305 | CAR-OTP-2091-0325 |
| CAR-OTP-2091-0181 | CAR-OTP-2091-0306 | CAR-OTP-2091-0326 |
| CAR-OTP-2091-0202 | CAR-OTP-2091-0307 | CAR-OTP-2091-0327 |
| CAR-OTP-2091-0237 | CAR-OTP-2091-0308 | CAR-OTP-2091-0328 |
| CAR-OTP-2091-0264 | CAR-OTP-2091-0309 | CAR-OTP-2091-0329 |
| CAR-OTP-2091-0290 | CAR-OTP-2091-0310 | CAR-OTP-2091-0330 |
| CAR-OTP-2091-0291 | CAR-OTP-2091-0311 | CAR-OTP-2091-0331 |
| CAR-OTP-2091-0292 | CAR-OTP-2091-0312 | CAR-OTP-2091-0332 |
| CAR-OTP-2091-0293 | CAR-OTP-2091-0313 | CAR-OTP-2091-0333 |
| CAR-OTP-2091-0294 | CAR-OTP-2091-0314 | CAR-OTP-2091-0334 |
| CAR-OTP-2091-0295 | CAR-OTP-2091-0315 | CAR-OTP-2091-0335 |
| CAR-OTP-2091-0296 | CAR-OTP-2091-0316 | CAR-OTP-2091-0336 |

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| CAR-OTP-2091-0297 | CAR-OTP-2091-0317 | CAR-OTP-2091-0337 |
| CAR-OTP-2091-0298 | CAR-OTP-2091-0318 | CAR-OTP-2091-0338 |
| CAR-OTP-2091-0299 | CAR-OTP-2091-0319 | CAR-OTP-2091-0339 |
| CAR-OTP-2091-0300 | CAR-OTP-2091-0320 | CAR-OTP-2001-2564 |
| CAR-OTP-2091-0301 | CAR-OTP-2091-0321 | CAR-OTP-2081-0603 |

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:** 29 April 2021 16:48  
**To:** Trial Chamber V Communications  
**Cc:** V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; Associate Legal Officer-Court Officer; D29 Yekatom Defence Team; D30 Ngaïssona Defence Team  
**Subject:** Ngaïssona Defence Submission of Evidence following the examination of P-2012

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 Ngaïssona respectfully requests the submission of the following item used during the cross-examination of Witness P-2012 as evidence:

| Count | Doc ID            | Title                                                                | WIT - Used Through | Type                  | Used By | EVD - Date Used | Request Submission |
|-------|-------------------|----------------------------------------------------------------------|--------------------|-----------------------|---------|-----------------|--------------------|
| 1     | CAR-OTP-2091-0163 | Seize the Peace / Four Issues to Target Now in the CAR Peace Process | CAR-OTP-P-2012     | Media / press article | D30     | 26-Apr-2021     | Yes                |

Respectfully yours,

[REDACTED]  
Case Manager – Ngaïssona Defence

This message contains information that may be privileged or confidential and is the property of the International Criminal Court. It is intended only for the person to whom it is addressed. If you are not the intended recipient, you are not authorized by the owner of the information to read, print, retain copy, disseminate, distribute, or use this message or any part hereof. If you receive this message in error, please notify the sender immediately and delete this message and all copies hereof.

Les informations contenues dans ce message peuvent être confidentielles ou soumises au secret professionnel et elles sont la propriété de la Cour pénale internationale. Ce message n'est destiné qu'à la personne à laquelle il est adressé. Si vous n'êtes pas le destinataire voulu, le propriétaire des informations ne vous autorise pas à lire, imprimer, copier, diffuser, distribuer ou utiliser ce message, pas même en partie. Si vous avez reçu ce message par erreur, veuillez prévenir l'expéditeur immédiatement et effacer ce message et toutes les copies qui en auraient été faites.

**From:** [REDACTED]  
**Sent:** 28 April 2021 18:31  
**To:** Trial Chamber V Communications  
**Cc:** D30 Ngaissona Defence Team; D29 Yekatom Defence Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; Associate Legal Officer-Court Officer; OTP CAR IIB Operations  
**Subject:** Yekatom Defence Submission of evidence following the examination of P-2012

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-2012 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 -<br>Used<br>Through | Type                  | Used<br>By | EVD -<br>Date<br>Used      | Request<br>Submission |
|-------|-------------------|--------------------------------------------------------------------------------------------------|--------------------------|-----------------------|------------|----------------------------|-----------------------|
| 1     | CAR-D29-0002-0031 | To understand the crisis in the CAR, beware of familiar narratives                               | CAR-OTP-P-2012           | Media / press article | D29        | 28-Apr-2021                | Yes                   |
| 2     | CAR-OTP-2091-0202 | Warlord Business / CAR's Violent Armed Groups and their Criminal Operations for Profit and Power | CAR-OTP-P-2012           | Report                | D29<br>D30 | 26-Apr-2021<br>28-Apr-2021 | Yes                   |

Kind regards,

[REDACTED]  
 Legal Consultant  
 Yekatom Defence

This message contains information that may be privileged or confidential and is the property of the International Criminal Court. It is intended only for the person to whom it is addressed. If you are not the intended recipient, you are not authorized by the owner of the information to read, print, retain copy, disseminate, distribute, or use this message or any part hereof. If you receive this message in error, please notify the sender immediately and delete this message and all copies hereof.

Les informations contenues dans ce message peuvent être confidentielles ou soumises au secret professionnel et elles sont la propriété de la Cour pénale internationale. Ce message n'est destiné qu'à la personne à laquelle il est adressé. Si vous n'êtes pas le destinataire voulu, le propriétaire des informations ne vous autorise pas à lire, imprimer, copier, diffuser, distribuer ou utiliser ce message, pas même en partie. Si vous avez reçu ce message par erreur, veuillez prévenir l'expéditeur immédiatement et effacer ce message et toutes les copies qui en auraient été faites.

**From:** [REDACTED]  
**Sent:** 28 April 2021 16:07  
**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; Berdennikova, Maria  
**Subject:** RE: Prosecution Submission of evidence following the examination of P-2012

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-2012. The submitted documents were discussed with the witness during the course of his direct examination. The Prosecution, therefore, requests that they be recognised as formally submitted.

| Count | Doc ID            | WIT – Used through | Type                          | EVD - Date  | EVD – Participant Tendering | Request Submission |
|-------|-------------------|--------------------|-------------------------------|-------------|-----------------------------|--------------------|
| 1     | CAR-OTP-2091-0127 | CAR-OTP-P-2012     | ICC Statement - General       | 26-Apr-2021 | OTP                         | Yes                |
| 2     | CAR-OTP-2001-2564 | CAR-OTP-P-2012     | Report                        | 26-Apr-2021 | OTP                         | Yes                |
| 3     | CAR-OTP-2081-0603 | CAR-OTP-P-2012     | Non-ICC Statement – Testimony | 26-Apr-2021 | OTP                         | Yes                |
| 4     | CAR-OTP-2091-0237 | CAR-OTP-P-2012     | Notes - 2015                  | 26-Apr-2021 | OTP                         | Yes                |
| 5     | CAR-OTP-2091-0264 | CAR-OTP-P-2012     | Notes - 2014                  | 26-Apr-2021 | OTP                         | Yes                |
| 6     | CAR-OTP-2091-0290 | CAR-OTP-P-2012     | Blank Anti-Balaka badge form  | 26-Apr-2021 | OTP                         | Yes                |
| 7     | CAR-OTP-2091-0291 | CAR-OTP-P-2012     | Anti-Balaka badge form        | 26-Apr-2021 | OTP                         | Yes                |
| 8     | CAR-OTP-2091-0339 | CAR-OTP-P-2012     | Sketch                        | 26-Apr-2021 | OTP                         | Yes                |

Kind regards,

[REDACTED]  
 OTP Case Manager

**From:** [REDACTED]  
**Sent:** mercredi 28 avril 2021 15:36  
**To:** 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]; [REDACTED]  
 <[REDACTED]>

**Subject:** RE: Prosecution Submission of evidence following the examination of P-2012

Dear Trial Chamber V,

We will send you shortly the correction of the below Prosecution Submission of evidence following the examination of P-2012.

We apologize for this inconvenience.

Best regards,

From: [REDACTED]

Sent: mercredi 28 avril 2021 15:24

To: 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] >; [REDACTED]

**Subject:** Prosecution Submission of evidence following the examination of P-2012

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-2012. The submitted documents were discussed with the witness during the course of his direct examination. In respect of the witnesses prior statements, the Prosecution tenders these as prior inconsistent statements on the basis of his oral testimony (*see e.g.*, ICC-01/05-01/13-1478-Red-Corr, para. 34). The Prosecution, therefore, requests that they be recognised as formally submitted.

| Count | Doc ID            | WIT – Used through | Type                          | EVD - Date  | EVD – Participant Tendering | Request Submission |
|-------|-------------------|--------------------|-------------------------------|-------------|-----------------------------|--------------------|
| 1     | CAR-OTP-2091-0127 | CAR-OTP-P-2012     | ICC Statement - General       | 26-Apr-2021 | OTP                         | Yes                |
| 2     | CAR-OTP-2001-2564 | CAR-OTP-P-2012     | Report                        | 26-Apr-2021 | OTP                         | Yes                |
| 3     | CAR-OTP-2081-0603 | CAR-OTP-P-2012     | Non-ICC Statement – Testimony | 26-Apr-2021 | OTP                         | Yes                |
| 4     | CAR-OTP-2091-0237 | CAR-OTP-P-2012     | Notes - 2015                  | 26-Apr-2021 | OTP                         | Yes                |
| 5     | CAR-OTP-2091-0264 | CAR-OTP-P-2012     | Notes - 2014                  | 26-Apr-2021 | OTP                         | Yes                |
| 6     | CAR-OTP-2091-0290 | CAR-OTP-P-2012     | Blank Anti-Balaka badge form  | 26-Apr-2021 | OTP                         | Yes                |
| 7     | CAR-OTP-2091-0291 | CAR-OTP-P-2012     | Anti-Balaka badge form        | 26-Apr-2021 | OTP                         | Yes                |
| 8     | CAR-OTP-2091-0339 | CAR-OTP-P-2012     | Sketch                        | 26-Apr-2021 | OTP                         | Yes                |

Kind regards,

OTP Case Manager

Dévouement - Intégrité - Respect  
Dedication - Integrity - Respect