

ANNEX 1

PUBLIC

From: Trial Chamber V Communications
Sent: 01 July 2021 14:16
To: OTP CAR IIB Case Management; OTP CAR IIB Managers; D29 Yekatom Defence Team; D30 Ngaïssona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Chamber Decisions Communication; Associate Legal Officer-Court Officer
Subject: Decision on submitted materials for P-2251
Attachments: Yekatom Defence submission of evidence following the examination of P-2251; RE: OTP List of the documents to be submitted through P-2251; OTP List of the documents to be submitted through P-2251; RE: OTP List of the documents to be submitted through P-2251; RE: OTP List of the documents to be submitted through P-2251; RE: OTP List of the documents to be submitted through P-2251
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Yekatom and Ngaïssona

Dear Counsel, dear colleagues from the Registry,

The Chamber takes note of the emails on the submission of evidence following the examination of P-2251 by the Yekatom Defence (*see* attached email from Yekatom Defence, 9 June 2011, at 10:17) and the Prosecution (*see* attached email from the Prosecution, 9 June 2021, at 11:17), as well as of the Defence's responses to the Prosecution's email (*see* attached email from the Ngaïssona Defence, 9 June 2021, at 16:16; email from the Yekatom Defence, 10 June 2021, at 17:52) and the Prosecution's replies thereto (*see* attached emails from the Prosecution, 10 June 2021, at 14:12 and 11 June 2021, at 14:41).

Concerning the Defence's objections to the submission of item CAR-OTP-2001-2769, the Chamber notes that this item has in the meantime been recognised as formally submitted through witness P-0287 (*see* email from the Chamber, 14 June 2021, at 12:20). Therefore, the Chamber does not consider it necessary to address the objections raised.

Regarding the Ngaïssona Defence's objections to the submission of item CAR-OTP-2025-0356, and noting the Prosecution's reply thereto, the Chamber considers that the question of whether an item used during re-examination was also mentioned on the examining party's initial list of material is not, as such, determinative as to whether the item can be submitted into evidence. The Chamber recalls that in principle, the parties should indeed avoid using items during their questioning which are not included in their lists of material (*see also* T-034, p. 54, line 17 – p. 55, line 11). However, the nature of re-examination is such that it will touch upon matters raised during the questioning by the non-calling parties which, as such, would not have been foreseen to be covered during the questioning of the calling party. In this context, parties may refer to items which were not included on that party's list of evidence, provided they were duly disclosed to the other parties.

The Chamber is of the view that item CAR-OTP-2025-0356 was clearly mentioned as related to the re-examination questions of the Prosecution to witness P-2251. There are no further reasons which would preclude the Chamber from recognising the item as submitted. The Chamber is of the view that in this instance, it is also appropriate to consider item CAR-OTP-2025-0356 submitted in its entirety, as the five orders included within this range clearly relate to the same subject matter, and two of the orders directly relate to the testimony of witness P-2251.

Finally, regarding the Yekatom Defence's objection to the submission of item CAR-OTP-2084-1262 and related transcript CAR-OTP-2107-1565, and noting the Prosecution's reply thereto, the Chamber reiterates that it 'will assess the standard evidentiary criteria (namely the relevance, probative value and potential prejudice) of each item as part of its holistic assessment when deliberating its judgment pursuant to Article 74(2) of the Statute' (*see* Initial Directions on the Conduct of the Proceedings, ICC-01/14-01/18-631, para. 53). The Chamber further notes that there also does not appear to be any procedural bars, obstacles or preconditions in relation to items CAR-OTP-2084-1263 and CAR-OTP-OTP-2107-1565 which would require the Chamber to rule on the admissibility of these items at this stage (*see* Initial Directions on the Conduct of the Proceedings, ICC-01/14-01/18-631, para. 54).

In light of the above, the Chamber recognises as formally submitted the following items submitted by the Prosecution and the Yekatom Defence (*see* emails referenced above):

- CAR-OTP-2076-1275
- CAR-OTP-2084-1263
- CAR-OTP-2107-1565
- CAR-OTP-2091-1707
- CAR-OTP-2112-1332
- CAR-OTP-2025-0356
- CAR-OTP-2049-0141
- CAR-OTP-2074-1954
- CAR-OTP-2074-1958
- CAR-OTP-2076-1083
- CAR-OTP-2087-8960

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

- CAR-OTP-2093-0045
- CAR-OTP-2107-6230
- CAR-OTP-2093-0083
- CAR-OTP-2093-0084
- CAR-OTP-2093-0087
- CAR-OTP-2093-0088
- CAR-OTP-2093-0094
- CAR-OTP-2093-0096
- CAR-OTP-2093-0097
- CAR-OTP-2093-0098
- CAR-OTP-2039-0031
- CAR-OTP-2001-4441
- CAR-OTP-2001-6251
- CAR-OTP-2068-0118
- CAR-OTP-2030-0232

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: 11 June 2021 14:41
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] a
Subject: RE: OTP List of the documents to be submitted through P-2251

Dear Trial Chamber V,

The Prosecution respectfully requests the Chamber grant the Prosecution's request for submission of the below items over the Defence objections. With respect to the first item, the Prosecution hereby incorporates its earlier response to the NGAISSONA Defence objections to the same item (see email from the OTP dated 10 June 2021, sent at 14:12h).

The YEKATOM Defence's objections confuse the submission and admission regimes. The contention that the Prosecution must establish the full relevance and probative value of each time it seeks to submit a piece of evidence through any witness is contrary to the basic premise of formal submission. Paragraph 53 of the Initial Directions on the Conduct of Proceedings (ICC-01/14-01/18-631) provides that the Chamber: "will not rule on the admissibility of each item of evidence during the course of the proceedings. Rather, the Chamber will assess the standard evidentiary criteria (namely the relevance, probative value and potential prejudice) of each item as part of its holistic assessment when deliberating its judgment pursuant to Article 74(2) of the Statute."

The above foresees that the Parties may submit items of evidence through witnesses and then continue to build upon their relevance and probative value through other witnesses, bar table motions, and/or argumentation throughout the case. The Prosecution will undoubtedly show items of evidence to multiple witnesses, not just to buttress the relevance and probative value of evidence, but in discharging its burden of proof. In addition, there is no requirement that the Prosecution submit items of evidence only through the *most* relevant witness. As the Chamber has recently noted: "... *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.*" (see email Decision on Submitted Materials for P-2193 from 03 May 2021 19:09).

For these reasons the Defence objections should be overruled, and the Prosecution request for submission granted.

Kind regards,
 On behalf of Kweku Vanderpuye

From: [REDACTED]
Sent: jeudi 10 juin 2021 17:52
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]; [REDACTED]; [REDACTED]

Subject: RE: OTP List of the documents to be submitted through P-2251

Dear Trial Chamber V,

The Defence of Mr. Yekatom hereby responds to the Prosecution's email sent on 9 June 2021 seeking the formal submission of a total of 25 documents, including 15 under Rule 68 (3), in relation to P-2251.

The Defence respectfully opposes the submission of the following document listed by the Prosecution:

Item #1 of the first list (CAR-OTP-2001-2769)

The Defence objects to the submission of document CAR-OTP-2001-2769 on the basis that the reliability and probative value of the document have not been established during the testimony of witness P-2251; nor has any foundation for its submission through the witness been laid. The Prosecution has not established even the most cursory connection between the document and the witness. In fact, given that the Prosecution failed to actually take the witness to the Report during his evidence, it remains unclear as to whether the witness has ever even seen it, to this day.

Indeed, the only use of this document by the Prosecution was the mention of a single sentence of the 92 page report (see CAR-OTP-2001-2769, page 2786) during a question on the setting on fire of 250 homes during an Anti-Balaka attack on 9 September in Bouca. In his answer the witness indicated that he 'no longer remember[s] the day' and 'we saw smoke, but I did not actually reach that location' (see ICC-01/14-01/18-T-043-CONF-ENG, pages 23-24, lines 20-12). He cannot be considered to have confirmed or corroborated the alleged burning of homes by the Anti-Balaka; likewise, the alleged killing of '40 Muslims in less than an hour', especially given his previous comment that 'I have absolutely no idea about what might have happened to the Muslims [in Bouca that day]. I did not see it with my own eyes' (see ICC-01/14-01/18-T-043-CONF-ENG, p. 23, lines 9-14).

The Prosecution has therefore not established through the witness the reliability and probative value of the information read out – let alone that of the remainder of the 92-page Report the Prosecution now tenders. More broadly, no information has been led as to the author(s) of the Report; the identity or nature of the sources relied upon by them; the investigative methodology employed; etc.

The Defence notes the Prosecution's position on the submission of the Report as set out in its email of 10 June at 14:12. First, Chamber's Rule 68(3) decision (ICC-01/14-01/18-907-Conf) is distinguishable in relevant respect, given that the Report cannot be considered Rule 68(3) material. Second, the Prosecution suggestion that the Chamber's rationale as set out in the Rule 68(3) Decision was applied in the Chamber's 3 May Decision on Submitted Materials for P-2193 is unfounded, given that the Ngaissona Defence's objection was not based on the fact that only an extract was shown to the witness in question.

In any event, the 3 May Decision on Submitted Materials for P-2193 is likewise relevantly distinguishable. That Decision concerned a video that the witness was actually taken to; and the witness was able to give expert evidence on it. On the contrary, as set out above, P-2251 was not actually taken to the Report, and he was not able to give probative evidence regarding the specific extract proposed to him.

If the Prosecution's logic were to be followed, a party would be free to tender lengthy expert reports and other documentary evidence wholesale by simply reading out a proposition therefrom, without actually taking the witness to the document, and regardless of whether the witness could give probative evidence regarding that proposition. With respect, it is submitted that such an unduly permissive approach to the evidentiary record is unsustainable.

Items #3 & #4 of the first list (CAR-OTP-2084-1263 & CAR-OTP-2107-1565)

The Defence objects to the submission of video CAR-OTP-2084-1263 and its associated transcript CAR-OTP-2107-1565 on the basis that the use of this document with witness P-2251 did not establish how its submission would be relevant to the case, nor was any foundation laid for its submission through this witness. Indeed, the only question put to the witness regarding this video was whether he recognized the speaker, to which P-2251 answered 'no, no, I don't know that person' (see ICC-01/14-01/18-T-043-CONF-ENG, p. 18, lines 16-17). Given the absence of probative information provided by the witness regarding this video specifically, the Defence contends that its relevance to the

Prosecution case has not been established and consequently that it should not be formally submitted through witness P-2251.

Best regards,

Legal Assistant, Yekatom Defence

From: [REDACTED]
Sent: 09 June 2021 11:17
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: OTP List of the documents to be submitted through P-2251

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-2251. The submitted documents were discussed with the witness during the course of his 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 examination:

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participa Tendering
1	CAR-OTP-2001-2769	CAR-OTP-P-2251	Report	07-Jun-21	OTP
2	CAR-OTP-2076-1275	CAR-OTP-P-2251	Photograph/s	07-Jun-21	OTP
3	CAR-OTP-2084-1263	CAR-OTP-P-2251	Audio / Video Material	07-Jun-21	OTP
4	CAR-OTP-2107-1565	CAR-OTP-P-2251	Transcript	07-Jun-21	OTP
5	CAR-OTP-2091-1707	CAR-OTP-P-2251	Media / press article	7-Jun-2021 8-Jun-2021	D30 OTP
6	CAR-OTP-2112-1332	CAR-OTP-P-2251	Identifying document	07-Jun-21	OTP
7	CAR-OTP-2025-0356	CAR-OTP-P-2251	Internal guidelines / instruction / orders	08-Jun-21	OTP

(ii) 15 items submitted under Rule 68(3) at the start of P-2251's testimony (ICC-01/14-01/18-998-Conf, paras. 19-20, p. 10; ICC-01/14-01/18-T-043-CONF ENG RT, p. 14, ln. 22 –p.15, ln. 3) :

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participa Tendering
1	CAR-OTP-2001-4441	Rule 68(3)	Media / press article	07-Jun-21	OTP
2	CAR-OTP-2001-6251	Rule 68(3)	Report	07-Jun-21	OTP
3	CAR-OTP-2030-0232	Rule 68(3)	List / table	07-Jun-21	OTP
4	CAR-OTP-2039-0031	Rule 68(3)	List / table	07-Jun-21	OTP
5	CAR-OTP-2068-0118	Rule 68(3)	List / table	07-Jun-21	OTP
6	CAR-OTP-2093-0045	Rule 68(3)	ICC Statement - General	07-Jun-21	OTP
7	CAR-OTP-2093-0083	Rule 68(3)	Map	07-Jun-21	OTP
8	CAR-OTP-2093-0084	Rule 68(3)	Map	07-Jun-21	OTP
9	CAR-OTP-2093-0087	Rule 68(3)	List / table	07-Jun-21	OTP

10	CAR-OTP-2093-0088	Rule 68(3)	List / table	07-Jun-21	OTP
11	CAR-OTP-2093-0094	Rule 68(3)	List / table	07-Jun-21	OTP
12	CAR-OTP-2093-0096	Rule 68(3)	List / table	07-Jun-21	OTP
13	CAR-OTP-2093-0097	Rule 68(3)	Media / press article	07-Jun-21	OTP
14	CAR-OTP-2093-0098	Rule 68(3)	Administrative and travel related documents	07-Jun-21	OTP
15	CAR-OTP-2107-6230	Rule 68(3)	ICC Statement - Translation - FRA	07-Jun-21	OTP

(iii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-2251, 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	EVD - Participa Tendering
1	CAR-OTP-2049-0141	CAR-OTP-P-2251	Audio / Video Material	07-Jun-21	D29
2	CAR-OTP-2074-1954	CAR-OTP-P-2251	Transcript	07-Jun-21	D29
3	CAR-OTP-2074-1958	CAR-OTP-P-2251	Translation - FRA	07-Jun-21	D29

Kind regards,


OTP Case Manager

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From: [REDACTED]
Sent: 10 June 2021 14:12
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: OTP List of the documents to be submitted through P-2251

Dear Trial Chamber V,

With respect to the Yekatom team's first objection, the Prosecution is mindful of the Chamber's decision for Rule 68(3) materials that it will consider items submitted as a whole, rather than in a piecemeal manner (see ICC-01/14-01/18-907-Red, para. 16). The Chamber has already applied this rationale to the submission of evidence through a witness per the Initial Directions on the conduct of Proceedings (ICC-01/14-01/18-631, para. 63) in its decision on Submitted Materials for P-2193 (see email from the Trial Chamber V, 3 May 2021, at 19:09). That decision allowed for the submission of an entire video and its transcript and translation when only an excerpt was shown in Court. The same logic should extend to the submission of documents. If not, the parties would be left in the inefficient and untenable position of having to continuously apply to submit different paragraphs of the same document, or different excerpts of the same audio/video item, throughout the trial.

In response to the Yekatom team's second objection, this document was referenced during re-examination, after extensive cross-examination on the subjects of (1) ANDJILO's criminal behaviour and targeting of Muslims, (2) ANDJILO's relationship with NGAISSONA, and (3) NGAISSONA's appointment of Emotion NAMSIO to the so-called *Police Militaire*, and its purported role and function. Thus, the use of the document was well within the scope of an appropriate re-examination addressing the witnesses' knowledge of NGAISSONA's orders regarding this unit and, in particular, his appointments of NAMSIO and ANDJILO as *chefs de mission*. These orders are registered under one ERN (see CAR-OTP-2025-0356, with 0356 referencing NAMSIO and 0359 referencing ANDJILO).

The Prosecution considers these orders properly tendered for submission. Documents used on re-examination need not be included on the initial List of Materials. Such use is appropriate when the item contains a clear factual connection to the material elicited on cross-examination, it has been disclosed, and its submission can assist the fact-finder in its truth-seeking function. In preparing its List of Materials for use in direct examination, the Prosecution cannot foresee, much less include, every possibly relevant document to a potential cross-examination (see e.g., *Prosecutor v. Popovic, et al*, Case No. IT-05-88-T, [Decision on Joint Defence Request for Certification to Appeal Rule 65ter Oral Decision](#), 22 June 2007, at page 1 and fn. 3: "[o]bviously the Prosecution, in preparing this list, cannot be expected to anticipate the content and direction of every cross-examination so as to be in position to also include any document that might possibly be needed for re-direct. Material identified for use in re-direct need not be included in the 65ter list, or be given a 65ter number before it is made use of. Needless to say, this procedure would equally be applicable to the Defence at the appropriate time."). By definition, re-examination is a line of questioning that was not done during direct examination - its purpose is to address topics developed on cross-examination. Referencing evidence outside the List of Materials is thus important to the Chamber's search for the truth under articles 64 and 69(3) and a more full understanding of the witness' evidence provided on cross-examination.

Kind regards,
On behalf of Kweku Vanderpuye

From: [REDACTED]
Sent: mercredi 9 juin 2021 16:16
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]>; [REDACTED]>
Subject: RE: OTP List of the documents to be submitted through P-2251

Dear Trial Chamber V,

The Defence respectfully objects to the submission of documents n. 1 and 7 of list '(i)'.

The Defence objects to the submission of document n. 1 (CAR-OTP-2001-2769), as far as the Prosecution seeks submission of the entire 92 pages report, rather than of the single excerpt that was used as a basis for questioning the witness (ICC-01/14-01/18-T-043-CONF-ENG RT, pp. 28-29, lines 19-1). Should the Prosecution seek to submit the entire report, it should do so through a witness who is able to comment on the entirety of the report, or through a bar table motion.

As far as document n. 7 (CAR-OTP-2025-0356) is concerned, the Defence respectfully objects to its submission as: 1) it was not notified of the Prosecution's intention to use and submit the document, given that it was not included in the Prosecution's list of documents for the examination of P-2251; 2) the document was not displayed to the witness, nor properly referred to by the Prosecution during the hearing of 8 June (ICC-01/14-01/18-T-044-ENG RT, p.66, lines 21-23, referring to "CAR-OTP-2025-0359"); and 3) the Prosecution appears to intend to submit the entire document, which consists of a compilation of five different documents, while only one of those was effectively discussed with the witness.

Respectfully yours,

[REDACTED]
Case manager- Ngaissona Defence

From: [REDACTED]
Sent: 09 June 2021 11:17
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] <[REDACTED]>; Associate Legal Officer-Court Officer [REDACTED]
Subject: OTP List of the documents to be submitted through P-2251

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-2251. The submitted documents were discussed with the witness during the course of his 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 examination:

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participating Tendering
1	CAR-OTP-2001-2769	CAR-OTP-P-2251	Report	07-Jun-21	OTP
2	CAR-OTP-2076-1275	CAR-OTP-P-2251	Photograph/s	07-Jun-21	OTP
3	CAR-OTP-2084-1263	CAR-OTP-P-2251	Audio / Video Material	07-Jun-21	OTP
4	CAR-OTP-2107-1565	CAR-OTP-P-2251	Transcript	07-Jun-21	OTP
5	CAR-OTP-2091-1707	CAR-OTP-P-2251	Media / press article	7-Jun-2021 8-Jun-2021	D30 OTP
6	CAR-OTP-2112-1332	CAR-OTP-P-2251	Identifying document	07-Jun-21	OTP
7	CAR-OTP-2025-0356	CAR-OTP-P-2251	Internal guidelines / instruction / orders	08-Jun-21	OTP

(ii) 15 items submitted under Rule 68(3) at the start of P-2251's testimony (ICC-01/14-01/18-998-Conf, paras. 19-20, p. 10; ICC-01/14-01/18-T-043-CONF ENG RT, p. 14, ln. 22 –p.15, ln. 3) :

Count	Doc ID	WIT - Used through	Type	EVD - Date	EVD - Participating Tendering
1	CAR-OTP-2001-4441	Rule 68(3)	Media / press article	07-Jun-21	OTP
2	CAR-OTP-2001-6251	Rule 68(3)	Report	07-Jun-21	OTP
3	CAR-OTP-2030-0232	Rule 68(3)	List / table	07-Jun-21	OTP
4	CAR-OTP-2039-0031	Rule 68(3)	List / table	07-Jun-21	OTP
5	CAR-OTP-2068-0118	Rule 68(3)	List / table	07-Jun-21	OTP
6	CAR-OTP-2093-0045	Rule 68(3)	ICC Statement - General	07-Jun-21	OTP
7	CAR-OTP-2093-0083	Rule 68(3)	Map	07-Jun-21	OTP
8	CAR-OTP-2093-0084	Rule 68(3)	Map	07-Jun-21	OTP
9	CAR-OTP-2093-0087	Rule 68(3)	List / table	07-Jun-21	OTP
10	CAR-OTP-2093-0088	Rule 68(3)	List / table	07-Jun-21	OTP
11	CAR-OTP-2093-0094	Rule 68(3)	List / table	07-Jun-21	OTP
12	CAR-OTP-2093-0096	Rule 68(3)	List / table	07-Jun-21	OTP
13	CAR-OTP-2093-0097	Rule 68(3)	Media / press article	07-Jun-21	OTP
14	CAR-OTP-2093-0098	Rule 68(3)	Administrative and travel related documents	07-Jun-21	OTP
15	CAR-OTP-2107-6230	Rule 68(3)	ICC Statement - Translation - FRA	07-Jun-21	OTP

(iii) The Prosecution also seeks to submit the following item used during the course of YEKATOM's cross-examination of witness P-2251, 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	EVD - Participating Tendering
1	CAR-OTP-2049-0141	CAR-OTP-P-2251	Audio / Video Material	07-Jun-21	D29
2	CAR-OTP-2074-1954	CAR-OTP-P-2251	Transcript	07-Jun-21	D29
3	CAR-OTP-2074-1958	CAR-OTP-P-2251	Translation - FRA	07-Jun-21	D29

Kind regards,

OTP Case Manager

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From: [REDACTED]
Sent: 09 June 2021 10:17
To: Trial Chamber V Communications
Cc: OTP CAR IIB Case Management; OTP CAR IIB Managers; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; D29 Yekatom Defence Team; OTP CAR IIB Operations; Associate Legal Officer-Court Officer
Subject: Yekatom Defence submission of evidence following the examination of P-2251

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-2251 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	Used By	EVD - Date Used	Request Submission
1	CAR-OTP-2049-0141	General andilo.3gp	CAR-OTP-P-2251	D29	8-Jun-2021	Yes
2	CAR-OTP-2074-1958	Traduction / Transcription de document audio/video / General andilo.3gp	CAR-OTP-P-2251	D29	8-Jun-2021	Yes
3	CAR-OTP-2076-1083	INTERVIEW Anti Balaka.MP3	CAR-OTP-P-2251	D29	8-Jun-2021	Yes
4	CAR-OTP-2087-8960	Transcription de document audio/vidéo / INTERVIEW Anti Balaka.MP3	CAR-OTP-P-2251	D29	8-Jun-2021	Yes

Kind regards,

[REDACTED]
 Legal Consultant
 Yekatom Defence

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