

ANNEX 26

PUBLIC

From: Trial Chamber V Communications
Sent: 13 December 2021 14:03
To: [REDACTED]
Cc: D30 Ngaissona Defence Team; D29 Yekatom Defence Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; V44 LRV Team OPCV; V45 LRV Team; V44 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: RE: Request for leave to add three documents to the List of Documents - Witness P-0876
Attachments: Ngaissona Defence List of Documents - Witness P-0876 V3.pdf; CAR-D30-0003-0008.pdf; Request for leave to add three documents to the List of Documents - Witness P-0876

Dear Counsel,

The Single Judge notes the Ngaissona Defence's requests to add items CAR-OTP-2023-1597, CAR-OTP-2107-1499, CAR-OTP-2025-0408 and CAR-D30-0003-0008 to its list of materials for P-0876's examination (see emails attached and below) (the 'Request').

Noting the explanations provided by the Ngaissona Defence and the lack of objections by the other participants, the Single Judge grants the Request.

The Single Judge nonetheless recalls that '[t]he participant intending to use any documents shall ensure that electronic, searchable copies of the documents have been uploaded into e-court prior to their use' (Initial Directions, ICC-01/14-01/18-631, para. 40).

Kind regards, TC V

From: [REDACTED]
Sent: 13 December 2021 11:31
To: Trial Chamber V Communications <[REDACTED]>
Cc: D30 Ngaissona Defence Team [REDACTED]; D29 Yekatom Defence Team [REDACTED]; OTP CAR IIB Case Management [REDACTED]; OTP CAR IIB Managers [REDACTED] V44 LRV Team OPCV [REDACTED] V45 LRV Team [REDACTED]; V44 LRV Tea [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]
Subject: RE: Request for leave to add three documents to the List of Documents - Witness P-0876

Dear Trial Chamber,

The Defence for Mr Ngaissona respectfully seeks leave to add an additional item to its list of documents for the cross-examination of witness P-0876. The timing of the request is justified by the fact that the document is [REDACTED] and therefore was received by the Defence only yesterday in the late evening. Granting leave to add this document would be in the interest of justice as it goes to the credibility of the witness and given the limited scope of the document i.e. only one page, and that the Defence cross-examination is set to start only tomorrow, there is no prejudice caused to the parties and participants.

A courtesy copy of the document is attached to this email and will be formally disclosed under ERN CAR-D30-0003-0008 as soon as possible. If leave is granted, please find attached the revised list of documents.

Respectfully yours,

From: [REDACTED]
Sent: 10 December 2021 18:02
To: Trial Chamber V Communications [REDACTED]
Cc: D30 Ngaïssona Defence Team [REDACTED]; D29 Yekatom Defence Team [REDACTED]; OTP CAR IIB Case Management [REDACTED]; OTP CAR IIB Managers [REDACTED] V44 LRV Team OPCV [REDACTED]; V45 LRV Team [REDACTED]; V44 LRV Team [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]
Subject: Request for leave to add three documents to the List of Documents - Witness P-0876

Dear Trial Chamber,

The Ngaïssona Defence respectfully requests leave to add three items to its list of documents. The minor amendments made to the list, which are visible in red, were made necessary in light of the content of the information provided by the witness during his examination-in-chief by the Prosecution. The Ngaïssona Defence also corrected some errors in the column "Relevant Passage".

- 1) The first two items (CAR-OTP-2023-1597 and CAR-OTP-2107-1499) are a video and its transcript about the [REDACTED]. The items are not new to the parties and participants and were already shown twice (on 3 November and 3 December 2021). Their submission was requested by way of email on 4 November 2021 at 16:21.
- 2) The third item (CAR-OTP-2025-0408) is a letter transmitting the document "Contribution du Mouvement des Patriotes Antibalaka pour la restauration de la Paix et de la Sécurité en République Centrafricaine" to the Central African authorities and various international interlocutors. This document is equally not new to the parties and participants (shown on 7 July, 22 July and 3 November 2021) and is recognized as formally submitted into evidence by the Chamber's decision on 1 October 2021 at 12:28.

Thank you for your consideration of the above,

Kind regards,

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.