

ANNEX 1

PUBLIC

From: Trial Chamber V Communications
Sent: 01 April 2022 12:19
To: OTP CAR IIB Case Management; OTP CAR IIB Operations; D29 Yekatom Defence Team; D30 Ngaïssona 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-2843
Attachments: OTP List of the documents to be submitted through P-2843; Ngaïssona Defence List of documents to be submitted through P-2843

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Counsel, dear colleagues from the Registry,

The Chamber takes note of the emails on the submission of evidence following the examination of P-2843 by the Ngaïssona Defence (see attached email from the Ngaïssona Defence, 10 November 2021, at 10:16), and the Prosecution (see attached email from the Prosecution, 10 November 2021, at 15:02).

At the outset, the Chamber notes that items CAR-OTP-2124-0949 and CAR-OTP-2124-0960, included in the Ngaïssona Defence's email, and items CAR-OTP-2124-0899, CAR-OTP-2124-0900, CAR-OTP-2124-0903 and CAR-OTP-2130-3379, included in the Prosecution's email, have already been recognised as formally submitted. In this regard, the Chamber recalls that it is not necessary to re-submit items.

In addition, the Chamber notes that the Ngaïssona Defence includes in its email items CAR-OTP-2102-3799 and CAR-OTP-2132-3712, consisting of Facebook conversations. In light of the nature and scope of these items, compared to the extent to which they were used during P-2843's questioning, the Chamber is of the view that it would be more appropriate to seek their formal submission through a bar table application. Therefore, without prejudice to its ruling on any bar table request, the Chamber rejects the Ngaïssona Defence's request to formally submit these items by email through P-2348.

In light of the above, the Chamber recognises as formally submitted the following items submitted by the Ngaïssona Defence and the Prosecution:

CAR-D30-0001-0036
 CAR-OTP-2101-4059
 CAR-OTP-2124-0993
 CAR-OTP-2124-0479
 CAR-OTP-2124-0554
 CAR-OTP-2124-0555
 CAR-OTP-2124-0556
 CAR-OTP-2124-0557
 CAR-OTP-2124-0558
 CAR-OTP-2135-0215
 CAR-OTP-2124-0895
 CAR-OTP-2124-0940
 CAR-OTP-2124-0975
 CAR-OTP-2124-0985
 CAR-OTP-2130-3372
 CAR-OTP-2130-3382

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: 10 November 2021 15:02
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; [REDACTED]; Associate Legal Officer-Court Officer
Subject: OTP List of the documents to be submitted through P-2843

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-2843. 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-2124-0895	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
2.	CAR-OTP-2124-0899	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
3.	CAR-OTP-2124-0900	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
4.	CAR-OTP-2124-0903	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
5	CAR-OTP-2124-0940	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
6	CAR-OTP-2124-0975	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
7	CAR-OTP-2124-0985	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
8	CAR-OTP-2130-3372	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
9	CAR-OTP-2130-3379	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes
10	CAR-OTP-2130-3382	CAR-OTP-P-2843	Communication - E-mail	5-Nov-2021	OTP	Yes

The Prosecution will seek the formal submission of the following Facebook messages through a bar table motion as per the Chamber's "Decision on Submitted Materials for P-2841" (email Decision on 2 July 2021 at 14.07).

Count	Doc ID	Type
1	CAR-OTP-2101-9735	Communication - E-message
2	CAR-OTP-2102-3799	Communication - E-message
3	CAR-OTP-2133-7314	Communication - E-message
4	CAR-OTP-2131-4976	Communication - E-message

Kind regards,



OTP Case Manager

From: [REDACTED]
Sent: 10 November 2021 10:16
To: Trial Chamber V Communications
Cc: D30 Ngaissona Defence Team; D29 Yekatom Defence Team; V45 LRV Team; V44 LRV Team OPCV; V44 LRV Team; OTP CAR IIB Case Management; OTP CAR IIB Managers; Associate Legal Officer-Court Officer
Subject: Ngaissona Defence List of documents to be submitted through P-2843

Dear Trial Chamber V,

Pursuant to paragraph 63(i) of the *Initial Directions of the Conduct of the Proceedings* (ICC-01/14-01/18-631), the Defence for Mr. Ngaissona requests the submission of the following item used during P-2843's questioning by the non-calling party:

Count	Doc ID	Type	Title	Pages	WIT-Used Through	Used by	EVD – Date Used	Request Submission
1.	CAR-D30-0001-0036	Communication - E-mail	Billet electronique Coupe de Monde des Clubs de la FIFA Japon 2012	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
2.	CAR-OTP-2101-4059	Media / press article	COMMUNIQUE DE PRESSE N° 07 No. 016/CDD/ATB/14.	At 4059	CAR-OTP-P-2843	D30	09-Nov-2021	YES
3.	CAR-OTP-2102-3799	Communication - E-message	Facebook Messenger Messages (Warrant Return)-30_12_2015 23_03_57	From 3919 to 3920	CAR-OTP-P-2843	D30	09-Nov-2021	YES
4.	CAR-OTP-2124-0949	Communication - E-mail	[REDACTED]	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
5.	CAR-OTP-2124-0960	Financial document - Invoice	NOTE OF EXPENSES	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
6.	CAR-OTP-2124-0993	Communication - E-mail	Please evaluate your Air France flight	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
7.	CAR-OTP-2124-0479	Communication - E-mail	Billet Caire Septembre 2013(Urgent)	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
8.	CAR-OTP-2124-0554	Communication - E-mail	urgent	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES

9.	CAR-OTP-2124-0555	Internal guidelines / instruction / orders	ORDRE DE MISSION / No. 246/FCF/CE/DIRCAB/SG.13	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
10	CAR-OTP-2124-0556	Financial document - Invoice	FACTURE / 11490651A	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
11	CAR-OTP-2124-0557	Correspondence - Letter		Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
12	CAR-OTP-2124-0558	List / table	Programme du 26 août 2013 concernant la Semaine de réunions III/IV octobre 2013	Entire item	CAR-OTP-P-2843	D30	09-Nov-2021	YES
13	CAR-OTP-2132-3712	Communication - E-message	Facebook Messenger Messages (Warrant Return)-17_10_2013 18_38_03	From 3765 to 3766	CAR-OTP-P-2843	D30	09-Nov-2021	YES
14	CAR-OTP-2135-0215	Legal, Administration and Court document - non ICC	Decision of the adjudicatory chamber of the FIF Ethics Committee	From 0216 to 0217	CAR-OTP-P-2843	D30	09-Nov-2021	YES

Kind regards,

[Redacted signature]

[Redacted contact information]

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