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No.: **ICC-01/14-01/22**

Date: **24 March 2023**

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding Judge
Judge Tomoko Akane
Judge Sergio Gerardo Ugalde Godínez

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM
GAWAKA***

**Public
with Confidential Annexes A-D**

**Prosecution's Submission Related to the Chamber's Decision on issues arising from
the submission of the Document Containing the Charges**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. NOTIFICATION

1. Pursuant to Pre-Trial Chamber II's ("Chamber") 16 March 2023 "Decision on issues arising from the submission of the Document Containing the Charges" ("the Decision"),¹ the Prosecution submits its revised List of Evidence (Annex A), two revised Witness Tables (Annexes B and C), and a list of the items for which amendments to the disclosure metadata or disclosure notes were sought (Annex D).

II. CONFIDENTIALITY

2. The Annexes, appended to this filing, are classified as "Confidential", pursuant to regulation 23bis(2) of the Regulations since they refer to documents and evidence which are currently subject to the same classification.

III. SUBMISSIONS

3. As per the Decision, the Prosecution submits its revised List of Evidence, which now includes: (i) the original items contained in the List of Evidence;² (ii) nine Trial Transcripts and their translations;³ (iii) the Call Data Records, Call Sequence Tables, and items used solely to substantiate telephone attributions;⁴ and (iv) the items referenced in the (analytical) Witness Table,⁵ that were not originally included in Annex to the DCC,⁶ which, pursuant to the Chamber's directions, was to include only "*the most probative supporting evidence*".⁷

4. As per the Decision, the Prosecution also submits two Revised Witness Tables.⁸ The (analytical) Revised Witness Table⁹ now includes all the references pertaining to witnesses, which were cited in the Annex to the DCC,¹⁰ but not included in the Witness

¹ See ICC-01/14-01/22-177.

² Filed as ICC-01/14-01/22-174-Conf-AnxD.

³ The Prosecution is filing today a "Request pursuant to regulation 35(2) to vary a time limit, and/or Request for Reconsideration of the 'Decision on issues arising from the submission of the Document Containing the Charges' (ICC-01/14-01/22-177)" in respect of those items. See also ICC-01/14-01/22-174, para. 9.

⁴ See ICC-01/14-01/22-174, para. 6.

⁵ ICC-01/14-01/22-167-Conf-AnxB.

⁶ ICC-01/14-01/22-174-Conf-AnxC1.

⁷ ICC-01/14-01/22-62, para. 36.

⁸ Submitted originally as ICC-01/14-01/22-167-Conf-AnxA and ICC-01/14-01/22-167-Conf-AnxB.

⁹ Submitted originally as ICC-01/14-01/22-167-Conf-AnxB.

¹⁰ ICC-01/14-01/22-174-Conf-AnxC1.

Table. The second Revised Witness Table¹¹ now includes all the Trial Transcripts of the witnesses concerned.

5. Finally, as per the Decision, the Prosecution submits a list of the items for which amendments to the disclosure metadata or disclosure notes were sought.¹²



Karim A. A. Khan KC, Prosecutor

Dated this 24th day of March 2023
At The Hague, The Netherlands

¹¹ Submitted originally as ICC-01/14-01/22-167-Conf-AnxA.

¹² ICC-01/14-01/22-177, para. 6, and p. 5.