



Original: English

No. ICC-01/14-01/18
Date: 20 November 2018

PRE-TRIAL CHAMBER II

Before: Judge Tomoko Akane, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *THE PROSECUTOR V. ALFRED YEKATOM***

**URGENT
Public**

Decision concerning the legal representation of Alfred Yekatom

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

Xavier-Jean Keïta

States Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Defence Support Section

Esteban Peralta Losilla

Victims and Witnesses Section

Nigel Verrill

Detention Section

Paddy Craig

**Victims Participation and Reparations
Section**

Other

Judge Tomoko Akane, acting as Single Judge on behalf of Pre-Trial Chamber II (the “Chamber”) of the International Criminal Court (the “Court”),¹ issues this Decision concerning the legal representation of Alfred Yekatom.

1. On 11 November 2018, the Chamber issued the “Warrant of Arrest for Alfred Yekatom” for his alleged criminal responsibility pursuant to articles 25(3)(a), (b) and (c) and 28(a) of the Rome Statute (“the Statute”) for crimes against humanity and war crimes committed in various locations in the Central African Republic between 5 December 2013 and August 2014.²
2. On 18 November 2018, Alfred Yekatom arrived at the Detention Centre of the Court.
3. On 19 November 2018, the Registry informed the Chamber that Mr Mathias Barthelemy Morouba (“Mr Morouba”) was appointed by Alfred Yekatom as counsel to represent him in the proceedings before the Court.³
4. On 20 November 2018, the Chamber received the “Prosecution’s Submission on the Appointment of Defence Counsel” (the “Application”).⁴
5. The Single Judge notes article 67 of the Statute and regulations 73, 76 and 77(4)(e) of the Regulations of the Court (the “Regulations”).
6. The Single Judge considers that, in view of the Application submitted by the Prosecutor and pending the Chamber’s determination of the issue raised by the Prosecutor, it is appropriate to temporarily suspend the appointment of Mr Morouba as counsel for Alfred Yekatom. In this regard, the Single Judge is mindful of the urgency of the matter, namely the impending

¹ Decision designating a Single Judge, 9 November 2018, ICC-01/14-01/18-10-US-Exp.

² ICC-01/14-01/18-1-US-Exp. A public redacted version is also available, see ICC-01/14-01/18-1-Red.

³ ICC-01/14-01/18-13, para. 1.

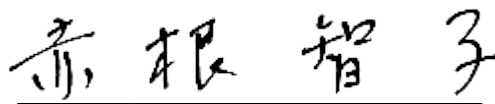
⁴ ICC-01/14-01/18-14-US-Exp.

initial appearance of Alfred Yekatom, which is scheduled to take place on 23 November 2018.⁵ The Single Judge further considers that, pending the determination of the Chamber, it is appropriate to appoint the Office of the Public Counsel for the defence to represent Alfred Yekatom, including for the purposes of his initial appearance, pursuant to regulations 73, 76 and 77(4)(e) of the Regulations.

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

- a) **SUSPENDS** the appointment of Mr Mathias Barthelémy Morouba as counsel for Alfred Yekatom; and
- b) **APPOINTS** the Office of the Public Counsel for the defence to represent Alfred Yekatom, until otherwise ordered by the Chamber.

Done in both English and French, the English version being authoritative.



Judge Tomoko Akane, Single Judge

Dated this Tuesday, 20 November 2018

At The Hague, The Netherlands

⁵ ICC-01/14-01/18-15, para. 7.