

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-01/14-01/18
Date: **21 December 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 ROMBHOT YEKATOM***

Public

Expedited request on behalf of M. Yekatom seeking a limited extension of the delay to respond to “Prosecution’s submission on a Proposed Protocol on the Handling of Confidential Information and Contacts with Witnesses”

Source: Defence Team of Mr. Alfred Rombhot Yekatom

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

The Office of the Prosecutor

Mrs. Fatou Bensouda

Mr. James Stewart

Mr. Kweku Vanderpuye

Counsel for the Defence

Me Stéphane Bourgon *Ad.E.*

Me Mylène Dimitri

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation / Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Further to the filing of the Prosecution's submission on a Proposed Protocol on the Handling of Confidential Information and Contacts with Witnesses on 17 December 2018 and informal consultations between the Prosecution and Counsel representing Mr. Alfred Rombhot Yekatom ("Mr. Yekatom" or "Defence") on 21 December 2018, the Defence hereby files this:

Expedited Request on behalf of Mr. Yekatom seeking a limited extension of the delay to respond to "Prosecution's submission on a Proposed Protocol on the Handling of Confidential Information and Contacts with Witnesses" ("Defence Expedited Request").

INTRODUCTION:

1. The aim of this Defence Expedited Request, submitted pursuant to Regulation 35(1) of the Regulations of the Court ("RoC"), is to request a limited extension of time to submit the Defence response to the Prosecution's submission on a Proposed Protocol on the Handling of Confidential Information and Contacts with Witnesses ("Prosecution submission on Confidential Information Protocol") until 02 January 2019.

PROCEDURAL BACKGROUND:

2. On 17 December 2018, the Prosecution filed its Prosecution submission on Confidential Information Protocol.
3. On 21 December 2018, the Prosecution and the Defence held informal consultations regarding the proceedings against Mr. Yekatom, during which the Defence was informed that earlier on the same day, the Prosecution submitted a further request regarding the adoption of a redaction protocol.

SUBMISSIONS:

4. Pursuant to Regulation 34(b) RoC, the Defence is required to respond to the Prosecution submission on Confidential Information Protocol on 28 December 2018.
5. Pursuant to Regulation 34(b) RoC the Defence is also required to respond to the Prosecution request regarding the adoption of a redaction protocol submitted earlier today, on 02 January 2019.
6. A clear nexus between exists between the adoption of a confidential information protocol and the adoption of a redaction protocol. Moreover, simultaneous Defence submissions regarding the adoption of both protocols would allow to adopt a uniform approach, which is in the interest of justice.
7. The Defence is presently expediting the creation and organization of Mr. Yekatom's Defence team, which impacts its ability to respond to Prosecution submissions, at this time.
8. The Defence notes that it is also required pursuant to Pre-Trial Chamber II's Decision Seeking Observations, following the Prosecution's submission of information as required by Pre-Trial Chamber II therein on 21 December 2018, to submit similar related information on 28 December 2018.
9. During informal consultations between the Prosecution and the Defence held on 21 December 2018, the Prosecution indicated that it would not oppose a Defence request for a limited extension of time to file both its response to the Prosecution submission on Confidential Information Protocol and its response to the Prosecution request regarding the adoption of a redaction protocol submitted earlier today.

10. The Defence posits that no prejudice would arise from the filing of both its responses on 02 January 2019.
11. In light of the above, the Defence respectfully submits that good cause has been shown pursuant to Regulation 35(1) RoC, thereby justifying the granting of the limited extension of time sought to respond to the Prosecution submission on Confidential Information Protocol on 02 January 2019.

RELIEF SOUGHT

In light of the above submissions, the Defence respectfully requests Pre-Trial Chamber II to:

GRANT the Defence Expedited Request; and

AUTHORISE the Defence to file its response to the Prosecution submission on Confidential Information Protocol on 02 January 2019.

RESPECTFULLY SUBMITTED ON THIS 21ST DAY OF DECEMBER 2018

A handwritten signature in grey ink, appearing to read 'StB' with a flourish at the end.

Me Stéphane Bourgon *Ad.E.*, Counsel for Alfred Rombhot Yekatom

The Hague, The Netherlands