

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/18

Date: 19 May 2021

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
THE PROSECUTOR *v.* ALFRED YEKATOM AND PATRICE-EDOUARD
NGAÏSSONA**

PUBLIC

with Confidential Annex

Twelfth Registry Update on Detention Centre COVID-19 Measures

Source: Registry

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

The Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Kweku Vanderpuye

Counsel for Mr Yekatom

Ms Mylène Dimitri
Mr Thomas Hannis

Counsel for Mr Ngaïssona

Mr Geert-Jan Alexander Knoops
Mr Richard Omissé-Namkeamaï
Ms Marie-Hélène Proulx

Legal Representatives of the Victims

Mr Dmytro Suprun
Mr Abdou Dangabo Moussa
Ms Elisabeth Rabesandratana
Mr Yare Fall
Ms Marie-Edith Douzima-Lawson
Ms Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Mr Harry Tjonk

**Victims Participation and Reparations
Section**

I. Introduction

1. The Registry presents the following submissions, pursuant to regulation 24 *bis* of the Regulations of the Court (“RoC”), to update Trial Chamber V of the International Criminal Court (“Chamber”) in the case of *The Prosecutor vs Alfred Yekatom and Patrice-Edouard Ngaïssona* on the COVID-19 measures currently in place at the ICC Detention Centre (“Detention Centre” or “DC”).

II. Classification

2. In accordance with regulation 23 *bis*(2) of the RoC, the Annex to the present report is classified as confidential as it is an internal operational document of the Detention Centre.

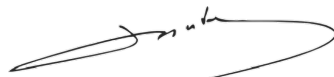
III. Submissions

3. As previously reported by the Registry,¹ since 19 March 2020, measures have been in place at the DC in order to protect the health, safety, and lives of detained persons during the ongoing COVID-19 pandemic, by minimizing external contacts to detained persons and thus their risk of exposure to the virus.
4. The Registry hereby informs the Chamber that on 12 May 2021, pursuant to regulation 96(2) of the RoC, the Presidency approved an extension of the DC COVID-19 measures until 21 June 2021 (inclusive). Approval was given

¹ Registry, “Registry Update on COVID-19 Detention Centre Measures”, 3 July 2020, ICC-01/14-01/18-578; Registry, “Registry Second Update on COVID-19 Detention Centre Measures”, 17 July 2020, ICC-01/14-01/18-597; Registry, “Registry Third Update on Detention Centre COVID-19 Measures”, 26 August 2020, ICC-01/14-01/18-632-Red; Registry “Fourth Registry Update on Detention Centre COVID-19 Measures”, 23 September 2020, ICC-01/14-01/18-665; Registry, “Addendum to ‘Registry Fifth Update on Detention Centre COVID-19 Measures’”, 29 October 2020, ICC-01/14-01/18-702-Conf; Registry, “Sixth Update on Detention Centre COVID-19 Measures”, 25 November 2020, ICC-01/14-01/18-741; Registry, “Seventy Registry Update on COVID-19 Detention Centre Measures”, 21 December 2021, ICC-01/14-01/18-788; Registry, “Eighth Registry Update on Detention Centre COVID-19 Measures”, 19 January 2021, ICC-01/14-01/18-841-Conf; Registry, “Ninth Registry Update on Detention Centre COVID-19 Measures”, 23 February 2021, ICC-01/14-01/18-890; Registry, “Tenth Registry Update on Detention Centre COVID-19 Measures”, 19 March 2021, ICC-01/14-01/18-922; Registry, “Eleventh Registry Update on Detention Centre COVID-19 Measures”, 20 April 2021, ICC-01/14-01/18-961.

following a request from the Registrar, and upon the medical advice of the Medical Officer of the DC, according to regulation 155(2) of the Regulations of the Registry ("RoR"). The medical advice remains that what can be done remotely should be done remotely, with a strong emphasis on mitigating the risk of exposure to COVID-19 for detained persons and staff.

5. The Registry informed the detained persons and their respective counsels of the extension of the measures on 17 May 2021.² These measures relate to the suspension of regulations 100 and 102 of the RoC, and regulations 153, 177, 178, 179, and 180 of the RoR.³ There are no changes to the measures, which include the temporary suspension of all in-person visits to detained persons, including legal visits, non-privileged visits, spiritual visits and in-person recreational activities. However, alternative measures continue to be in place where possible.⁴
6. Finally, the Registry recalls that these are general measures and without prejudice to any judicially ordered exceptions.
7. The Registry respectfully submits the above for the information of the Chamber. Any further extensions or changes in the measures will be so communicated to the Chamber.



Marc Dubuisson
Director Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 19 May 2021
At The Hague, the Netherlands

² Email from the Detention Section to all Defence Counsels on 17 May 2021 at 14:59.

³ Annex.

⁴ See, e.g., International Criminal Court, "How the Court works?", "COVID-19 related measures in the Detention Centre", at <https://www.icc-cpi.int/about/how-the-court-works> (accessed 18 May 2021).