



Original: English

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

Date: 7 October 2022

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Presiding judge
Judge Antoine Kesia-Mbe Mindua
Judge Tomoko Akane

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

**Public
With one Annex
in confidential *Ex Parte* version, only available to the Registry
and in public redacted version**

Registry Report on Legal Representation of Victims

Source: Registry

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

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I. Introduction

1. On 27 June 2022, Pre-Trial Chamber II (“Chamber”) issued its “Order on the conduct of the confirmation of charges proceedings” (“First Order”) in the case of *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka* case (“Mokom case” or “Case”), in which it *inter alia* instructed the Registry to collect information on legal representation and provide a report within one month of the appointment of permanent counsel for Mr Mokom, excluding the judicial recess, which will include the collected information and will address matters identified in the Order.¹
2. On 15 September 2022, the Chamber issued its “Order varying the time limit for Registry’s report on victims’ legal representation”, in which it instructed the Registry to submit its report on legal representation by no later than 7 October 2022 (“Second Order”).²

II. Classification

3. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”) and in accordance with article 68(1) of the Rome Statute, the annex to the present submission (“Annex”) is classified as confidential *ex parte* only available to the Registry because it contains sensitive information on the Registry’s internal operations, information pertaining to victims’ safety and security and identifying information on the Registry’s intermediaries. A public redacted version of the Annex has also been prepared for notification to the parties, the Office of Public Counsel for Victims as common legal representative of the potential victims, as well as other relevant legal representatives.

¹ Pre-Trial Chamber II, ‘Order on the conduct of the confirmation of charges proceedings’, 27 June 2022, ICC-01/14-01/22-62, paras 47-48. The Registry notes that in its Order, the Chamber assigned the Office of Public Counsel for Victims (“OPCV”) to represent the collective interests of potential victims. The Chamber stresses the temporary and provisional nature of this assignment and specifies that the OPCV’s involvement is limited to the stage between the present decision and the Chamber’s eventual decision taken on matters of legal representation at the stage of the determinations of the merits of the victims’ applications and the status of victims, see para. 46.

² Pre-Trial Chamber II communications email to the Registry and parties, 15 September 2022 at 15:25.

III. Applicable Law

4. The present report is made on the basis of article 68(1) and (3) of the Rome Statute, rules 16(1) and 90 of the Rules of procedure and Evidence, regulations 23*bis*, 67 and 79 of the RoC, regulations 112 and 113 of the Regulations of the Registry, and the Registry's single policy document on the Court's legal aid system.³

IV. Submissions

5. In accordance with the First and Second Orders, the Registry hereby transmits its report on legal representation in the Case as an Annex to the present submission.



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

Dated this 7 October 2022

At The Hague, The Netherlands

³ Registry, "Registry's single policy document on the Court's legal aid system" (ICC-ASP/12/3, adopted during the Twelfth session of the Assembly of State Parties of 20-28 November 2013 and distributed on 4 June 2013).