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No. **ICC-01/14-01/18**
Date: **2 December 2022**

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
NGAISSONA***

Public

**Decision on the Urgent Joint Defence Motion for an Adjournment and a
Suspension of Deadlines**

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

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Other

TRIAL CHAMBER V of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Articles 64 and 67 of the Rome Statute (the ‘Statute’), issues this ‘Decision on the Urgent Joint Defence Motion for an Adjournment and a Suspension of Deadlines’.

1. On 1 December 2022, the Yekatom Defence and the Ngaïssona Defence (jointly, the ‘Defence’) requested the Chamber to adjourn the hearings scheduled from 5 to 9 December 2022 (the ‘Adjournment Request’) and to suspend the deadlines during this period (the ‘Suspension Request’) in light of a strike announced by defence support staff.¹
2. On 2 December 2022,² the Office of the Prosecutor,³ the Common Legal Representatives of the Victims of the Other Crimes and the Common Legal Representative of the Former Child Soldiers,⁴ respectively, responded via email, indicating that they defer to the Chamber’s discretion.
3. The Chamber understands from the Defence’s motion that the accused will be represented by their respective counsel on the relevant dates. The Chamber further recalls its obligation under Article 64(2) of the Statute to ensure that the trial is conducted expeditiously. An adjournment at the eleventh hour and in the middle of this long-planned evidentiary block would run contrary to upholding this fundamental principle. Rather, it would be highly disruptive to the proceedings and cause significant delays. In light of these reasons, the Chamber rejects the Adjournment Request.
4. For the same reasons, the Chamber also does not see the need to suspend any deadlines. Accordingly, the Suspension Request is rejected.
5. Lastly, the Chamber does not appreciate the extent and manner in which the judicial proceedings in the present case have been misused as a platform to pursue

¹ Corrected version of “Urgent Joint Defence Motion for an Adjournment and for a Suspension of Deadlines”, ICC-01/14-01/18-1682-Corr (with confidential Annex A).

² The Chamber shortened the deadline for responses to 2 December 2022, at 10:00. *See* email from the Chamber, 1 December 2022, at 14:33.

³ Email from the Office of the Prosecutor, 2 December 2022, at 09:25.

⁴ Joint email from the Common Legal Representatives of the Victims of the Other Crimes and the Common Legal Representative of the Former Child Soldiers, 2 December 2022, at 09:47.




financial and labour law related agendas, regardless of whether they are justified or not. It expects that such issues will henceforth be kept out of the courtroom and addressed in the relevant and appropriate forums.

FOR THESE REASONS, THE CHAMBER HEREBY

REJECTS the Adjournment Request; and

REJECTS the Suspension Request.

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

 _____ Judge Péter Kovács	 _____ Judge Bertram Schmitt Presiding Judge	 _____ Judge Chang-ho Chung
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Dated 2 December 2022

At The Hague, The Netherlands