



Original: English

**No. ICC-01/14-01/18
Date: 19 February 2024**

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

Public

Decision on Request to Withdraw as Associate Counsel for Mr Ngaißsona

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

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**Unrepresented Applicants for
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Counsel Support Section

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Judge Bertram Schmitt, acting as Single Judge on behalf of Trial Chamber V of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Regulation 78(1) of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on Request to Withdraw as Associate Counsel for Mr Ngaïssona’.

1. On 8 December 2020, the Registry informed the Chamber of Mr Omissé-Namkeamaï’s appointment as Associate Counsel for Mr Ngaïssona.¹
2. On 13 February 2024, Mr Omissé-Namkeamaï requested the Chamber’s leave to withdraw as Associate Counsel for Mr Ngaïssona as of 29 February 2024, pursuant to Regulation 78(1) of the Regulations (the ‘Request’).²
3. On 14 and 15 February 2024, the Office of the Prosecutor (the ‘Prosecution’), the Yekatom Defence, the Common Legal Representative of the Former Child Soldiers (the ‘CLRVI’) and the Common Legal Representatives of Victims of Other Crimes (the ‘CLRVI2’) informed the Chamber that they do not intend to file a response to the Request.³
4. The Single Judge notes that the Request is made with the consent of both Lead Counsel and Mr Ngaïssona and takes into account the continuing appointment of the other Associate Counsel. Moreover, the Single Judge notes that Lead Counsel will continue to represent Mr Ngaïssona and has confirmed that the withdrawal will not impact the presentation of the Ngaïssona Defence’s case or the existing deadlines in an adverse manner.⁴
5. In light of these circumstances, and noting that no objections were made to the Request, the Single Judge considers that Mr Omissé-Namkeamaï’s withdrawal will not cause any prejudice to the rights of the accused or affect the fairness and

¹ Registration of the appointment of Mr Richard Omissé-Namkeamaï as Associate Counsel for Mr Patrice-Edouard Ngaïssona, ICC-01/14-01/18-758 (with confidential Annex I and public Annex II).

² Associate Counsel’s request for leave to withdraw, ICC-01/14-01/18-2359, para. 1.

³ Email from the Prosecution, 14 February 2024, at 13:36; Email from the Yekatom Defence, 15 February 2024, at 09:56; Email from the CLRVI, 15 February 2024, at 09:59; Email from the CLRVI2, 15 February 2024, at 13:07.

⁴ Request, ICC-01/14-01/18-2359, para. 2.

expeditiousness of the proceedings. Noting Mr Omissé-Namkeamäi's request to withdraw, the Single Judge thus grants the Request.

6. Mr Omissé-Namkeamäi is reminded of his continuing obligations under the Code of Professional Conduct for counsel, as well as any confidentiality obligations under the Rome Statute and the Rules of Procedure and Evidence. The Single Judge appreciates the assurances made in this regard.⁵

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Request.

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



Judge Bertram Schmitt

Single Judge

Dated 19 February 2024

At The Hague, The Netherlands

⁵ Request, ICC-01/14-01/18-2359, para. 3.