



**Original: English**

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

**Date: 29 July 2020**

**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**

**Order Requesting Observations from relevant States on Interim Release**

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

**The Office of the Prosecutor**

Fatou Bensouda  
James Stewart  
Kweku Vanderpuye

**Counsel for the Alfred Yekatom**

Mylène Dimitri  
Peter Robinson

**Counsel for Patrice-Edouard Ngaissona**

Geert-Jan Alexander Knoops

**Legal Representatives of Victims**

Abdou Dangabo Moussa  
Elisabeth Rabesandratana  
Yaré Fall  
Marie-Edith Douzima-Lawson  
Paolina Massidda  
Dmytro Suprun

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**The Office of Public Counsel for Victims**

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

**States Representatives**

Kingdom of Belgium  
Kingdom of the Netherlands

*Amicus Curiae*

**REGISTRY**

---

**Registrar**

Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

Paddy Craig

**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 Articles 60(2) and (3), 61(11) and 64(6)(a) of the Rome Statute, Rule 118(1) and (2) of the Rules of Procedure and Evidence, and Regulation 51 of the Regulations of the Court issues this ‘Order Requesting Observations from relevant States on Interim Release’.

1. On 11 November 2018, Pre-Trial Chamber II issued a warrant of arrest against Mr Yekatom.<sup>1</sup> On 17 November 2018, the Central African Republic (the ‘CAR’) authorities surrendered him to the Court.<sup>2</sup>
2. On 3 March 2020, the Yekatom Defence (the ‘Defence’) requested Mr Yekatom’s interim release to the CAR.<sup>3</sup> After having sought and received observations from the CAR and the Kingdom of the Netherlands, as the host State (hereinafter: ‘the Netherlands’),<sup>4</sup> the Chamber assessed and rejected this request on 28 April 2020.<sup>5</sup>
3. On 27 July 2020, the Defence requested the Chamber to release Mr Yekatom to the Kingdom of Belgium (hereinafter: ‘Belgium’) pending trial under such conditions that the Chamber deems necessary (the ‘Request’).<sup>6</sup>
4. For the purposes of the upcoming decision on the Request, the Single Judge seeks observations from Belgium by 19 August 2020. Further, the Single Judge takes note of the observations previously made by the Netherlands in relation to

---

<sup>1</sup> Warrant of Arrest for Alfred Yekatom, ICC-01/14-01/18-1-Conf-Exp (public redacted version notified on 17 November 2018).

<sup>2</sup> Decision on the confirmation of charges against Alfred Yekatom and Patrice-Edouard Ngaïssona, 11 December 2019, ICC-01/14-01/18-403-Conf, para. 3 (public redacted version notified on 20 December 2019).

<sup>3</sup> Yekatom Defence Application for Interim Release, ICC-01/14-01/18-438 (with public Annexes A-C and confidential Annexes D-F).

<sup>4</sup> See Order Requesting Observations from relevant States on Interim Release, 20 March 2020, ICC-01/14-01/18-461. The Registry transmitted these observations to the Chamber on 14 April 2020, see Transmission of observations from the Kingdom of the Netherlands and the Central African Republic on interim release of Alfred Yekatom, ICC-01/14-01/18-478 (with two confidential annexes).

<sup>5</sup> Decision on the Yekatom Defence Application for Interim Release, ICC-01/14-01/18-495-Conf-Exp, confidential *ex parte*, only available to the Prosecution, Registry and Yekatom Defence (confidential redacted version notified the same day; public redacted version and a lesser redacted confidential version notified on 24 July 2020).

<sup>6</sup> Second Yekatom Defence Motion for Interim Release, ICC-01/14-01/18-603-Conf (public redacted version notified the same day).

the Defence's first request for interim release.<sup>7</sup> Should the Dutch authorities wish to make further observations in relation to the present Request, they are invited to do so by the same date. The Chamber will decide if further responses to these observations are necessary once they have been received.

**FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY**

**ORDERS** the Registry to invite Belgium and the Netherlands to submit any observations on Mr Yekatom's interim release by 19 August 2020.

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



**Judge Bertram Schmitt**

**Single Judge**

Dated 29 July 2020

At The Hague, The Netherlands

---

<sup>7</sup> Annex I to the Transmission of observations from the Kingdom of the Netherlands and the Central African Republic on interim release of Alfred Yekatom, 14 April 2020, ICC-01/14-01/18-478-Conf-AnxI.