



**Original: English**

**No. ICC-01/14-01/18  
Date: 13 December 2021**

**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 the Prosecution Request for Extension of Time Limit to Confirm  
Full Disclosure**

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

**The Office of the Prosecutor**

Karim A. A. Khan  
James Stewart  
Kweku Vanderpuye

**Counsel for Alfred Yekatom**

Mylène Dimitri  
Thomas Hannis  
Anta Guissé

**Counsel for Patrice-Edouard Ngaïssona**

Geert-Jan Alexander Knoops  
Richard Omissé-Namkeamai  
Marie-Hélène Proulx

**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**

*Amicus Curiae*

**REGISTRY**

---

**Registrar**

Peter Lewis

**Counsel Support Section**

**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 35 of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on the Prosecution Request for Extension of Time Limit to Confirm Full Disclosure’.

1. On 7 December 2021, after finding that the Office of the Prosecutor (the ‘Prosecution’) violated its disclosure obligations in relation to one item, the Chamber directed the Prosecution to ‘review the evidence in its possession, and confirm on the record that all documents falling within its disclosure obligations have indeed been disclosed, within one week of notification of [this] decision’ (the ‘Direction’).<sup>1</sup>
2. On 10 December 2021, the Prosecution requested an extension of time of ten days to comply with the Direction, arguing that good cause exists and that no prejudice is caused to the Defence (the ‘Request’).<sup>2</sup>
3. On the same day,<sup>3</sup> the Yekatom Defence submitted that it does not object to the Request<sup>4</sup> and the Ngaïssona Defence indicated that it defers to the Chamber’s discretion.<sup>5</sup> The Common Legal Representative of Victims of the Former Child Soldiers and the Common Legal Representatives of the Victims of Other Crimes indicated that they would not respond to the Request.<sup>6</sup>
4. In light of the reasons provided by the Prosecution and noting that both defence teams do not object to the Request, the Single Judge considers that good cause

---

<sup>1</sup> Decision on the Yekatom Defence Motion for Finding of Disclosure Violation and Additional Remedies, ICC-01/14-01/18-1202-Conf (public redacted version notified the same day), para. 22, p. 10.

<sup>2</sup> Prosecution’s submission pursuant to regulation 35 to vary the time limit to review evidence in its possession and confirm on the record that all documents falling within its disclosure obligations have indeed been disclosed, 7 December 2021, (ICC-01/14-01/18-1202-Conf), ICC-01/14-01/18-1207-Conf, paras 1-3, p. 7.

<sup>3</sup> The Single Judge shortened the time limit for responses to 13 December 2021, *see* email from the Chamber on 10 December 2021, at 11:12.

<sup>4</sup> Email from the Yekatom Defence, 10 December 2021, at 11:35.

<sup>5</sup> Email from the Ngaïssona Defence, 10 December 2021, at 16:47.

<sup>6</sup> Emails from the Common Legal Representative of Victims of the Former Child Soldiers, 10 December 2021, at 17:21, and from the Common Legal Representatives of the Victims of Other Crimes, 10 December 2021, at 18:49.

has been shown to extend the time limit pursuant to Regulation 35(2) of the Regulations.

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

**GRANTS** the Request; and

**ORDERS** the Prosecution to file a public redacted version of the Request within one week of notification of the present decision.

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



**Judge Bertram Schmitt**

**Single Judge**

Dated 13 December 2021

At The Hague, The Netherlands