

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács
7 and Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 5 December 2022
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:35] All rise. The International Criminal Court is now in
12 session. Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:32:49] Do we have a connection to the detention
14 centre? Yes, because last time we have seen Mr Ngaïssona and, I would, of course,
15 prefer that too today.
16 Court Officer, please call the case.
17 THE COURT OFFICER: [9:33:02] Good morning, Mr President. Good morning, your
18 Honours. This is Situation in the Central African Republic, in the case of The
19 Prosecutor versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case
20 reference ICC-01/14-01/18.
21 And for the record, we are in open session.
22 PRESIDING JUDGE SCHMITT: [9:33:21] Thank you.
23 I'll ask for the appearances of the parties. We start with Mr Vanderpuye.
24 MR VANDERPUYE: [9:33:29] Good morning, Mr President. Good morning, your
25 Honours. Good morning, everyone. Today the Prosecution is represented by Irina

- 1 Galupa, Yassin Mostfa, and myself, Kweku Vanderpuye.
- 2 PRESIDING JUDGE SCHMITT: [9:33:44] Thank you.
- 3 Ms Douzima, next.
- 4 MS DOUZIMA: [9:33:49](Interpretation) Thank you very much, your Honour,
- 5 honourable members of the bench. The victims are represented today by Counsel
- 6 Douzima, myself.
- 7 PRESIDING JUDGE SCHMITT: [9:33:56] Thank you.
- 8 Mr Suprun.
- 9 MR SUPRUN: [9:34:00] Good morning, Mr President, your Honours. The former child
- 10 soldiers are represented by myself, Dmytro Suprun, counsel at the Office of Public
- 11 Counsel for Victims. Thank you.
- 12 PRESIDING JUDGE SCHMITT: [9:34:07] Thank you.
- 13 Ms Dimitri.
- 14 MS DIMITRI: [9:34:09] good morning, Mr President. Good morning, your Honours.
- 15 Good morning, everyone in the courtroom. Mr Yekatom is present in the courtroom
- 16 and he is represented today by Ms Anta Guissé and myself, Mylène Dimitri.
- 17 PRESIDING JUDGE SCHMITT: [9:34:20] Thank you very much.
- 18 Mr Knoops.
- 19 MR KNOOPS: [9:34:22] Good morning, Mr President. Good morning, your Honours.
- 20 Good morning, everyone in the courtroom. I am actually representing at this moment
- 21 on my own Mr Ngaïssona.
- 22 PRESIDING JUDGE SCHMITT: [9:34:31] Well, but, you know, it's not about quantity.
- 23 It's about quality always. Let me put it this way. Mr Ngaïssona is following the
- 24 proceedings from the detention centre according to a decision from -- I don't know
- 25 from when but we made a decision in that regard. And as this decision already

1 indicated, whenever there is a need to confer with your client, you can do that. You
2 can ask also for an interruption, for a break.

3 I hope that the communication between Mr Ngaïssona and counsel has been, indeed,
4 facilitated by the Registry. Thank you. So it seems okay.

5 Mr Knoops, you had two procedural issues. But first of all, before we start with that,
6 what is it about?

7 MR KNOOPS: [9:35:30] Mr President, thank you very much for giving me the floor.

8 It's about actually three matters on law, and I can assure you we are mindful to your
9 decision last Friday. We're not here to raise any political issues, but I have three
10 questions of law. And I've also the instructions of Mr Ngaïssona to convey those
11 requests to the Chamber.

12 It needs probably 15 minutes to address the Chamber with those issues, and I ask the
13 permission of the Court to --

14 PRESIDING JUDGE SCHMITT: [9:36:06] Well, perhaps we discuss this better in
15 private session.

16 So let's go to private session.

17 MR KNOOPS: [9:36:11] I have no problem if it's in open session, Mr President.

18 PRESIDING JUDGE SCHMITT: [9:36:14] Well, if it is about the, what you say, political
19 issues, this has been -- the wording is now financial and labour-related agendas. If it is
20 about that, I think we do that better in private session.

21 (Private session at 9.36 a.m.)

22 THE COURT OFFICER: [9:36:45] We're in private session, Mr President.

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- 24 (The hearing adjourned in private session at 12.41 p.m.)