



Original: English

No. ICC-01/14-01/18
Date: 20 November 2018

PRE-TRIAL CHAMBER II

Before: Judge Tomoko Akane, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *THE PROSECUTOR V. ALFRED YEKATOM***

**URGENT
Public**

Decision setting the date for the initial appearance of Alfred Yekatom

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Counsel for the Defence

Legal Representatives of Victims

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

Defence Support Section

Victims and Witnesses Section

Detention Section

**Victims Participation and Reparations
Section**

Other

Judge Tomoko Akane, acting as Single Judge on behalf of Pre-Trial Chamber II (the “Chamber”) of the International Criminal Court (the “Court”),¹ issues this Decision setting the date for the initial appearance of Alfred Yekatom.

1. On 30 May 2014, the situation in the Central African Republic (the “CAR”) since 1 August 2012 was referred to the Court by the Government of the CAR.²

2. On 18 June 2014, this situation was assigned to Pre-Trial Chamber II.³

3. On 11 November 2018, the Chamber issued the “Warrant of Arrest for Alfred Yekatom” for his alleged responsibility pursuant to articles 25(3)(a), (b) and (c) and 28(a) of the Rome Statute (“the Statute”) for: (i) the crimes against humanity of murder (article 7(1)(a) of the Statute), deportation or forcible transfer of population (article 7(1)(d) of the Statute), imprisonment or other severe deprivation of physical liberty (article 7(1)(e) of the Statute), torture (article 7(1)(f) of the Statute), persecution (article 7(1)(h) of the Statute), enforced disappearance (article 7(1)(i) of the Statute) and other inhumane acts (article 7(1)(k) of the Statute); and (ii) the war crimes of murder (article 8(2)(c)(i) of the Statute), torture and cruel treatment (article 8(2)(c)(i) of the Statute), mutilation (articles 8(2)(c)(i) and/or 8(2)(e)(xi) of the Statute), intentional attack against the civilian population (article 8(2)(e)(i) of the Statute), intentional attack against buildings dedicated to religion (article 8(2)(e)(iv) of the Statute), enlistment of children under the age of 15 years and their use to participate actively in hostilities (article 8(2)(e)(vii) of the Statute), displacement of the civilian population (article 8(2)(e)(viii) of the

¹ Decision designating a Single Judge, 9 November 2018, ICC-01/14-23-US-Exp.

² Presidency, Decision Assigning the Situation in the Central African Republic II to Pre-Trial Chamber II, 18 June 2014, ICC-01/14-1-Anx1.

³ Presidency, Decision Assigning the Situation in the Central African Republic II to Pre-Trial Chamber II, 18 June 2014, ICC-01/14-1.

Statute) and destruction of the adversary's property (article 8(2)(e)(xii) of the Statute), committed in various locations in the CAR, including Bangui and the Lobaye Prefecture, between 5 December 2013 and August 2014.⁴

4. On 18 November 2018, Alfred Yekatom arrived at the Detention Centre of the Court.

5. The Single Judge notes articles 60(1) and 67 of the Statute, rule 121(1) of the Rules of Procedure and Evidence (the "Rules") and regulations 20(1) and 21 of the Regulations of the Court (the "Regulations").

6. In particular, according to article 60(1) of the Statute and rule 121(1) of the Rules, a person subject to a warrant of arrest under article 58 of the Statute "shall appear before the Pre-Trial Chamber" and be informed of the crimes he is alleged to have committed, his rights under the Statute and the date for a hearing to confirm or to decline to confirm the charges.

7. The Single Judge considers that, in view of the need to secure interpretation to and from Sango and taking into account the availability of qualified interpreters, the initial appearance of Alfred Yekatom will take place on Friday, 23 November 2018.

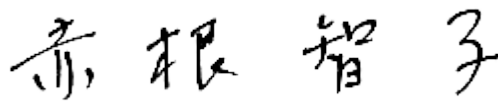
8. The Single Judge further notes that, pursuant to regulation 21(1) of the Regulations, the publicity of hearings may extend beyond the courtroom and, accordingly, authorises video recording and the taking of photographs in the courtroom at the start of the initial appearance hearing for no longer than one minute and a half.

⁴ ICC-01/14-01/18-1-US-Exp. A public redacted version is also available, *see* ICC-01/14-01/18-1-Red.

FOR THESE REASONS, THE CHAMBER HEREBY

- a) **DECIDES** to convene the hearing for the initial appearance of Alfred Yekatom on Friday, 23 November 2018, at 11:00 hours in courtroom I; and
- b) **AUTHORISES** the Registrar to inform external applicants that, at the start of the initial appearance hearing and after all the parties and representatives of the Registry have taken their seats, video recording and the taking of photographs will be permitted for no longer than one minute and a half.

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



Judge Tomoko Akane, Single Judge

Dated this Tuesday, 20 November 2018

At The Hague, Netherlands