

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/18
Date: 14 December 2018

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. ALFRED YEKATOM***

**Confidential Redacted Version of Second Registry Report on the Implementation
of the Restrictions on Contact Ordered by the Pre-Trial Chamber II, 14 December
2018, ICC-01/14-01/18-32-Conf-Exp**

Source: Registry

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

The Office of the Prosecutor Fatou Bensouda, Prosecutor James Stewart, Deputy Prosecutor	Counsel for the Defence Stéphane Bourgon
Legal Representatives of the Victims	Legal Representatives of the Applicants
Unrepresented Victims	Unrepresented Applicants (Participation/Reparation)
The Office of the Public Counsel for Victims	The Office of the Public Counsel for the Defence
States’ Representatives	Amicus Curiae

REGISTRY

Registrar Peter Lewis	Counsel Support Section
Victims and Witnesses Unit Nigel Verrill	Detention Section Paddy Craig
Victims Participation and Reparations Section	

I. Introduction

1. Following the "Second Decision pursuant to Regulation 101 of the Regulations of the Court" ("Second Decision")¹ issued by Pre-Trial Chamber II ("Chamber") on 4 December 2018, directing the Registry to report on the implementation of the restrictions on contact for Mr Alfred Yekatom ("Mr Yekatom") no later than 14 December 2018, the Registry hereby submits its report on the monitoring of telephone calls, visits, incoming and outgoing mail until now. In this submission, the Registry informs the Chamber that no incident has been reported.

II. Procedural history

2. On 17 November 2018, the Single Judge issued the "Decision pursuant to Regulation 101 of the Regulations of the Court" ("Decision on Restrictions") directing the Registrar to put in place the measures to restrict Mr Yekatom's contact with the outside world.² On 19 November 2018, Mr Yekatom was notified by the Chief Custody Officer ("CCO") of the DC of the restrictions on his communications.³
3. In the Decision on Restrictions, the Single Judge directed the Registrar, *inter alia*, to submit to the Chamber a report on the implementation of the restrictions on contact ordered therein.⁴ On 30 November 2018, the Registry submitted the "Registry Report on the Implementation of the Restrictions on

¹ Pre-Trial Chamber II, "Second Decision pursuant to Regulation 101 of the Regulations of the Court", 14 December 2018, ICC-01/14-01/18-25-Conf-Exp.

² Pre-Trial Chamber II, "Decision pursuant to Regulation 101 of the Regulations of the Court", 14 December 2018, ICC-01/14-01/18-11-Conf-Exp.

³ "Modalités de mise en œuvre de la décision de la Chambre de première instance II en date 17 novembre 2018 intitulée « Decision pursuant to Regulation 101 of the Regulations of the Court » (ICC-01/14-01/18-11-Conf-Exp) ", 19 November 2018.

⁴ Pre-Trial Chamber II, "Decision pursuant to Regulation 101 of the Regulations of the Court", 14 December 2018, ICC-01/14-01/18-11-Conf-Exp, p. 6.

Contact Ordered by the Single Judge" ("First Registry Report").⁵ On 3 December 2018, the Prosecutor submitted a request for the extension of the restrictions on contact that Mr Yekatom is subject to.⁶

4. In the Second Decision, issued on 4 December 2018, the Chamber provisionally extended the measures on Mr Yekatom's communication restrictions ordered in the Decision on Restrictions until 11 January 2019, unless otherwise decided.⁷

III. Classification

5. In accordance with regulation 23 *bis* (1) of the Regulations of the Court ("RoC"), the present report is classified as confidential *ex parte* only available to the Defence and the Registry, as it contains sensitive information concerning identifying information of Mr Yekatom's personal contacts and detention-related matters. Should the Chamber so decide, the Registry stands ready to give the Office of the Prosecutor access to the present report.

IV. Applicable law

6. For the purpose of the present submission, the Registry has considered regulations 99(1)(i) and (h) and 100 of the RoC, and regulation 173 of the Regulations of the Registry ("RoR").

⁵ "Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge", 30 November, ICC-01/14-01/18-23-Conf-Exp.

⁶ Pre-Trial Chamber II, "Second Decision pursuant to Regulation 101 of the Regulations of the Court", 14 December 2018, ICC-01/14-01/18-25-Conf-Exp, para. 6.

⁷ *Ibid*, para. 8.

V. Submissions

Non-privileged telephone calls

7. During the second reporting period, Mr Yekatom has had the opportunity to make actively monitored non-privileged telephone calls to his wives, children and sister according to the implemented time schedule, which is as of 26 November 2018 every Monday and Thursday from 15:30 to 16:00.⁸ The Registry provides interpretation in Sango to accommodate Mr Yekatom's non-privileged telephone calls according to the time schedule abovementioned.
8. Since the First Registry Report was submitted, Mr Yekatom has had four opportunities to communicate in Sango and French with [REDACTED]:
 - i) on 3 December 2018, Mr Yekatom spoke with [REDACTED];
 - ii) on 6 December 2018, Mr Yekatom spoke with [REDACTED];
 - iii) on 10 December 2018, Mr Yekatom spoke with [REDACTED]; and
 - iv) on 13 December 2018, Mr Yekatom spoke with [REDACTED].
9. Since his arrival at the DC, no violations of the Decision on Restrictions have occurred. Mr Yekatom has furthermore not requested any other persons to be added to his non-privileged contact list, with the exception of [REDACTED], as additional persons to whom he may speak on [REDACTED] telephone number.

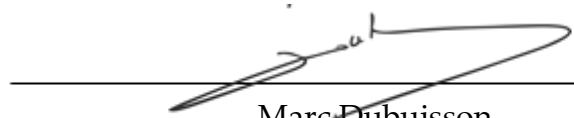
⁸ "Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge", 30 November, ICC-01/14-01/18-23-Conf-Exp, para 12.

Family visits

10. Mr Yekatom has not had the opportunity to receive family visits to date. However, as previously reported, a visit from [REDACTED], has been scheduled to take place on 18 December 2018. This visit will be actively monitored.⁹

Incoming and outgoing mail

11. Mr Yekatom did not have any opportunities to receive or send written correspondence to date.



Marc Dubuisson
Director Division of Judicial Services
on behalf of Mr Peter Lewis, Registrar

Dated this 14 December 2018

At The Hague, The Netherlands

⁹ *Ibid.*, para. 16.