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**Cour
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**International
Criminal
Court**

Original: English

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

Date: 12 April 2024

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
THE PROSECUTOR *v.* ALFRED YEKATOM AND PATRICE-EDOUARD
NGAISSONA**

CONFIDENTIAL

**Tenth Registry Report on the Implementation of the Restrictions on Contacts of
Mr Ngaïssona Ordered by Trial Chamber V**

Source: Registry

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

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I. Introduction

1. Following the "Third Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention"¹ issued by Trial Chamber V ("Chamber") on 5 October 2020, in which the Registry is ordered to report on the implementation of the restrictions on contact for Mr Patrice-Edouard Ngaïssona ("Mr Ngaïssona") every six months, the Registry hereby submits its report on the monitoring of Mr Ngaïssona's non-privileged telephone calls, visits and written correspondence since 14 October 2023. The Registry has no incidents to report.

II. Procedural history

2. Pursuant to a series of decisions,² the following restrictions on Mr Ngaïssona's contacts are currently in place: 1) non-privileged telephone calls and visits with authorised contacts whose identity and contact details have been duly verified beforehand by the Chief Custody Officer ("CCO"), who may request the support of the Victims and Witnesses Section; 2) the limitation of written correspondence with authorised non-privileged contacts; 3) the limitation of non-privileged communications to the languages of French and Sango; and 4) the prohibition of obscure or coded language and discussions related to his case during non-privileged communications.

III. Classification

¹ Trial Chamber V, "Third Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention" ("5 October 2020 Decision"), 5 October 2020, ICC-01/14-01/18-672-Conf, para. 25.

² Trial Chamber V, "Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention", 17 April 2020, ICC-01/14-01/18-484-Red2, paras. 15, 25; Trial Chamber V, "Second Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention", 8 July 2020, ICC-01/14-01/18-582, paras. 12-13, 15; Trial Chamber V, 5 October 2020 Decision, paras. 16, 20-22; Trial Chamber V, "Fourth Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention", 23 April 2021, ICC-01/14-01/18-965-Red, paras. 17, 21; Trial Chamber V, "Fifth Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention", 12 October 2021, ICC-01/14-01/18-1136-Conf, para. 8; Trial Chamber V, "Sixth Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention and Directions regarding the Use of the Privileged Network", 19 September 2022, ICC-01/14-01/18-1575-Conf, para. 27; Trial Chamber V, "Seventh Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention", 10 May 2023, ICC-01/14-01/18-1863-Conf-Red; and Trial Chamber V, "Eighth Decision on Mr Ngaïssona's Restrictions on Contacts and Communications in Detention" ("31 October 2023 Decision"), 31 October 2023, ICC-01/14-01/18-2177-Conf, paras. 26-34.

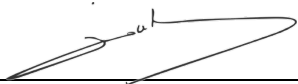
3. In accordance with regulation 23 *bis*(1) of the Regulations of the Court ("RoC"), the present report is classified as confidential as it refers to Chamber's decisions with the same level of confidentiality.

IV. Applicable law

4. For the purpose of the present submission, the Registry has considered regulations 99(1)(i) and 100 of the RoC, and regulations 168, 169, 170, 173, 174, 175, 177, 179, 180 and 183 of the Regulations of the Registry ("RoR").

V. Submissions

5. In implementing the 31 October 2023 Decision,³ the Registry ceased actively monitoring non-privileged telephone calls and visits between Mr Ngaïssona and his authorised non-privileged contacts, since 31 October 2023. Mr Ngaïssona's non-privileged telephone calls remain passively monitored following regulation 174 of the RoR. Passive monitoring only involves the recording and archiving of non-privileged telephone calls, and not the listening to telephone calls. Mr Ngaïssona's non-privileged visits are supervised in accordance with regulation 183 of the RoR.
6. Pursuant to regulation 175(1) of the RoR, the Acting CCO has monitored at random Mr Ngaïssona's non-privileged telephone calls. Random monitoring involves listening to randomly selected non-privileged telephone calls. The Registry has no incidents to report.



Marc Dubuisson, Director Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 12 April 2024

At The Hague, the Netherlands

³ Trial Chamber V, 31 October 2023 Decision, para. 28.