

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



*Original: English*

No. ICC-01/14-01/18

Date: 4 June 2025

**THE APPEALS CHAMBER**

**Before:** Judge Tomoko Akane  
Judge Erdenebalsuren Damdin  
Judge Luz del Carmen Ibáñez Carranza  
Judge Solomy Balungi Bossa  
Judge Gocha Lordkipanidze

**SITUATION IN CENTRAL AFRICAN REPUBLIC II**

*IN THE CASE OF THE PROSECUTOR v.  
ALFRED ROMBHOT YEKATOM & PATRICE-EDOUARD NGAÏSSONA*

**Confidential**

**Yekatom Defence Response to the "Prosecution's Urgent Request to Grant Access to a Confidential Annex", 28 May 2025, ICC-01/14-01/18-2770-Conf**

**Source: Defence for Mr. Alfred Rombhot Yekatom**

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

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

D29

D30

☒ **Legal Representatives of the Victims**

V44

V45

☐ **Legal Representatives of the**

**Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants**

**(Participation/Reparation)**

☐ **The Office of Public Counsel for  
Victims**

☐ **The Office of Public Counsel for the  
Defence**

☐ **States' Representatives**

☐ **Amicus Curiae**

## **REGISTRY**

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**Registrar**

Mr Zavala Giler, Osvaldo

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and  
Reparations Section**

☐ **Other**

## INTRODUCTION

1. The Defence for Mr Alfred Rombhot Yekatom ("Defence") hereby responds to the "Prosecution's Urgent Request to Grant Access to a Confidential Annex" notified on 28 May 2025 ("Request")<sup>1</sup>.
2. The Defence does not oppose the Request and defers to the Appeals Chamber's discretion as to the opportunity of granting the Parties and Participants to the *Beina* admissibility proceedings access to the confidential annex.

## SUBMISSIONS

3. As noted, the Defence does not oppose the Prosecution's Request. In particular, the observations of the government of the Central African Republic<sup>2</sup> ("CAR Observations") have been submitted pursuant an order of the Appeals Chamber dated 15 June 2020<sup>3</sup> in the context of a Defence request related to an admissibility challenge before the Trial Chamber V<sup>4</sup> and the Appeals Chamber<sup>5</sup>.
4. At the time, and consistently since then, the Defence has maintained its position that the CAR Observations should be reclassified as public. On 31 August 2020, it formally requested that the Appeals Chamber invite the authorities of the Central African Republic either to reclassify their observations as public, to submit a public redacted version, or to provide the factual or legal justification for maintaining their fully confidential status<sup>6</sup>. The Defence maintains that there is nothing in the CAR Observations that, in its view, is confidential or could jeopardize national security or any other protected interest.
5. Consequently, the Defence does not oppose the Prosecution's request.

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<sup>1</sup> ICC-01/14-01/18-2770-Conf.

<sup>2</sup> ICC-01/14-01/18-610-Conf-Anx.

<sup>3</sup> ICC-01/14-01/18-552.

<sup>4</sup> ICC-01/14-01/18-456.

<sup>5</sup> ICC-01/14-01/18-523.

<sup>6</sup> ICC-01/14-01/18-641-Conf

6. Alternatively, it suggests that the Appeals Chamber invites the Central African Republic to submit observations on a reclassification of the confidential annex as public as five years have now elapsed since the submission of the CAR Observations. It is therefore possible that the sensitivity of the position expressed by the Central African Republic at the time may have evolved. In light of this passage of time, a renewed assessment of the need for continued confidentiality may be warranted.

### **CONFIDENTIALITY**

7. The response is filed on a confidential basis as it responds to a filing of the same designation. A public redacted version will be filed in due course.

### **RELIEF SOUGHT**

8. In light of the above, the Defence respectfully defers to the Appeals Chamber's discretion in the disposition of the Request, taking into account its submissions herein.

**RESPECTFULLY SUBMITTED ON THIS 4<sup>th</sup> DAY OF JUNE 2025**



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Me Mylène Dimitri  
Lead Counsel for Mr. Yekatom

Dated 4 June 2025

At The Hague, the Netherlands