

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 23 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 THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF PROSECUTOR *v.* ALFRED YEKATOM AND PATRICE-
EDOUARD NGAÏSSONA**

Public

**Public redacted version of "Prosecution's Urgent Request to Grant Access to a
Confidential Annex",
ICC-01/14-01/18-2770-Conf, 28 May 2025**

Source: Office of the Prosecutor

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

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☒ Counsel for the Defence
D29 and D30

☒ Legal Representatives of the Victims
V44 and V45

☐ Legal Representatives of the
Applicants

☐ Unrepresented Victims

☐ Unrepresented Applicants
(Participation/Reparation)

☐ The Office of Public Counsel for
Victims

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M. Zavala Giler, Osvaldo

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Reparations Section

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I. INTRODUCTION

1. Pursuant to Regulations 23*bis*(3) and 42(2) of the Regulations of the Court (“RoC”), the Office of the Prosecutor (“Prosecution”) urgently requests the Appeals Chamber (“Chamber”) to grant the Parties and Participants in the admissibility proceedings before Pre-Trial Chamber II regarding Edmond BEINA¹ access to ICC-01/14-01/18-610-Conf-Anx.

II. CONFIDENTIALITY

2. Pursuant to Regulation 23*bis*(2) of the RoC, this request is filed as “Confidential”, as it refers to documents of the same classification. A public redacted version will be filed as soon as practicable.

III. SUBMISSIONS

3. Filing ICC-01/14-01/18-610-Conf-Anx comprises the observations of the government of the Central African Republic (“CAR Observations”), submitted in connection with an admissibility challenge filed in the *Yekatom and Ngaissona* case.² In it, the government expresses its position regarding [REDACTED]. Insofar as [REDACTED] an issue raised by the Central African authorities in the *Beina* proceedings,³ the prior representations of [REDACTED] are relevant. Particularly, [REDACTED] the CAR Observations notes:

[REDACTED].⁴

4. The Prosecution understands that the Central African authorities have previously declined the Chamber’s invitation to reclassify the CAR Observations as

¹ See ICC-01/14-203.

² See ICC-01/14-01/18-552; ICC-01/14-01/18-610-Red; ICC-01/14-01/18-678-Red.

³ See ICC-01/14-194-AnxI, para. 43 *et seq* (interpreting the application of Article 37 of the Organic Law, and citing ICC-01/14-01/18-678-Red-tFRA, par. 48).

⁴ [REDACTED].

public.⁵ Accordingly, the Chamber's intervention is sought limitedly to provide the Parties and Participants in the *Beina* admissibility proceedings access to the CAR Observations whilst maintaining their '*confidential*' classification level before the Court.

5. Should the Chamber grant the present request, the Prosecution further requests that the Chamber direct the Registry as appropriate to ensure that the CAR Observations are promptly made available, subject to any further directions or instructions that Pre-Trial Chamber II may deem necessary and appropriate.

IV. CONCLUSION

6. For the reasons above, the Prosecution respectfully requests that the Chamber urgently grant the Parties and Participants to the *Beina* admissibility proceedings access to ICC-01/14-01/18-610-Conf-Anx.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 23rd June 2025

At The Hague, The Netherlands

⁵ See ICC-01/14-01/18-637-Conf.