

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/14-01/18

Date: 25 July 2025

THE APPEALS CHAMBER

Before: Judge Solomy Balungi Bossa, Presiding Judge
Judge Luz del Carmen Ibáñez Carranza
Judge Kimberly Prost
Judge Gocha Lordkipanidze
Judge Erdenebalsuren Damdin

SITUATION IN CENTRAL AFRICAN REPUBLIC II

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

Public

Urgent Request for Amendment of Mr Yekatom's Contact Restrictions

Source: Defence for Mr. Alfred Rombhot Yekatom

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☐ Unrepresented Victims

☐ Unrepresented Applicants
(Participation/Reparation)

☐ The Office of Public Counsel for Victims

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INTRODUCTION

1. The Defence for Mr Alfred Rombhot Yekatom (“Defence”) hereby respectfully requests the Appeals Chamber to urgently amend the restrictions on communications of Mr Yekatom to allow discussions on limited aspect of the case.
2. In light of the issuance of Trial Chamber V’s Judgment on both conviction and sentencing, the Defence requests amendment of the contact restrictions in order to allow Mr Yekatom to discuss with his interlocutors the present case without mentioning nor revealing witnesses names or pseudonyms, nor disclosing or revealing confidential information (“Sought Amendment”).

PROCEDURAL HISTORY

3. On 17 November 2018, the Single Judge of Pre Trial Chamber II instated restrictions on contacts and communications of Mr Yekatom pursuant to Regulation 101 of the Regulations of the Court, which, *inter alia*, prohibits “any discussion related to the present case”.¹
4. On 17 April 2020, Trial Chamber V ordered the restrictions on communications to be maintained.²
5. On 25 October 2023, Trial Chamber V ordered the continuation of amended restrictions on communications to be imposed “until the end of the evidentiary phase of this case”.³
6. On 3 October 2024, Trial Chamber V maintained the restrictions on communications of Mr Yekatom, which include “the prohibition of obscure or coded language and discussions related to the present case”.⁴

¹ [ICC-01/14-01/18-11](#), para. 6.

² [ICC-01/14-01/18-485-Red](#).

³ [ICC-01/14-01/18-2165](#)

⁴ ICC-01/14-01/18-2715-Conf, para. 7.

7. On 26 March 2025, Trial Chamber V maintained the restrictions on communications of Mr Yekatom.⁵
8. On 24 July 2025, Trial Chamber V issued its Judgment on the conviction and sentence of Mr Yekatom.

SUBMISSIONS

9. The Defence submits that the Sought Amendment are appropriate and necessary at this stage of the proceedings.
10. The current restrictions, which prohibits any discussion of matters related to the case, place Mr Yekatom in an untenable and profoundly difficult situation, particularly in light of the judgment that partly convicted him on the charges brought against him, and sentenced him to 15 years of imprisonment.
11. Understandably, Mr Yekatom's interlocutors—especially his family and close friends —wish to speak with him about his convictions, his sentence and on the implications for their future. Yet, as a result of the current restrictions, Mr Yekatom is entirely barred from discussing what is undeniably the most significant matter affecting, both his life, and that of his family..
12. The judgment and sentence were broadcast live in Bangui, made publicly available via the ICC livestream, and is currently available on the Court's official YouTube channel. A public redacted version has also been circulated by Trial Chamber V. Extensive media coverage has since followed. As a result, Mr Yekatom's non-privileged contacts naturally have numerous questions, seeking his perspective and inquiring about his well-being. The current restrictions prevent him from responding to any of these inquiries, further compounding his isolation.
13. The Sought Amendments, detailed in paragraph 2, would allow Mr Yekatom to discuss the crimes for which he was convicted and acquitted, the underlying events

⁵ [ICC-01/14-01/18-2767](#).

as well as his sentence. Given the importance of those topics for himself and his family, the ability to discuss those are necessary to give effect to Mr Yekatom's right to respect for family life which should include the possibility to discuss significant events of a detainee's life, such as the issuance of a judgment. It is recalled, to this effect, that "the restrictions imposed must be the least restrictive possible to the rights of the detained person".⁶

14. This ability for a detainee to discuss his case with his interlocutors is not exceptional; and was even permitted prior to the issuance of a judgment.
15. Mr Al Hassan's restrictions on communications were lifted, following the closure of the submission of evidence, on the condition that he remains "prohibited from disclosing any confidential information pertaining to the case, including the identity of witness".⁷ Mr Said, on his part, was "permitted to discuss the present case insofar he does not reveal the identity of protected persons or other confidential information" while his case is still ongoing.⁸
16. Moreover, the Defence held *inter partes* discussion with the Prosecution who indicated that they do not oppose the Sought Amendment on the understanding that Mr Yekatom will still be prohibited from discussing witnesses or pseudonym of witnesses and that his non privileged contacts will continue to be monitored pursuant to Rule 174 of the Regulations of the Registry.
17. As such, the Defence underlines that, should the Sought Amendment be granted, Mr Yekatom undertakes to :

- Not discuss nor reveal any confidential information of the case ;

⁶ Prosecutor v. Al Hassan, Decision on Mr Al Hassan's restrictions and accesses while in detention, 14 February 2020, [ICC-01/12-01/18-557-Red3](#), para. 10.

⁷ Prosecutor v. Al Hassan, Decision reviewing the measures restricting Mr Al Hassan's contacts whilst in detention following the closure of the submission of evidence, 24 May 2023, [ICC-01/12-01/18-2498-Red](#), para. 37.

⁸ Prosecutor v. Said, Second Decision on Contact Restrictions, 11 December 2024, [ICC-01/14-01/21-903-Red](#), paras 41-42.

- Not discuss nor reveal any witnesses, being by name or pseudonym, irrespective of whether or not they benefited from protective measures.

18. The above mentioned restrictions would strike an appropriate balance between the necessity for Mr Yekatom to maintain meaningful communications with his close ones, and the obligation of the Court to ensure the safety and well-being of witnesses pursuant to Article 68 of the Statute.

19. It is recalled that all Mr Yekatom's calls would continue to be subject to passive monitoring pursuant to Regulation 174 of the Regulations of the Registry, which would be a safeguard to ensure that the restrictions still in place after the Sought Amendment are properly respected.

20. In light of the recent delivery of the judgment on 24 July 2025, and the natural inquiries that follow from Mr Yekatom's close ones wishing to discuss it with him, the Defence respectfully requests the Appeals Chamber to entertain the present request on an urgent basis.

RELIEF SOUGHT

21. For the foregoing reasons, the Defence for Mr Yekatom respectfully requests the Appeals Chamber to :

MODIFY the restrictions on communications imposed to Mr Yekatom by authorizing him to discuss with his interlocutors the present case, without mentioning nor revealing witnesses names or pseudonyms, nor disclosing or revealing confidential information.

RESPECTFULLY SUBMITTED ON THIS 25th DAY OF JULY 2025



Me Mylène Dimitri
Lead Counsel for Mr. Yekatom

Dated on 25th July 2025
At The Hague, the Netherlands