

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 August 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 THE CENTRAL AFRICAN REPUBLIC II

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

Public

**Registry's Observations on the "Urgent Request for Amendment of Mr Yekatom's
Contact Restrictions" (ICC-01/14-01/18-2788) dated 25 July 2025**

Source: Registry

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

Registrar

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☒ Victims and Witnesses Unit

☒ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. Following the “Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions” (“Urgent Request”) dated 25 July 2025,¹ the Appeals Chamber (“Chamber”) issued the “Order on the filing of observations” (“Order”) on 31 July 2025, stating that “the Prosecutor and the Registrar may submit written observations on the Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions by Friday, 22 August 2025”.² In accordance with the Chamber’s Order, the Registry hereby submits its observations.

II. Procedural History

2. Pursuant to a series of decisions,³ the following contact restrictions are currently in place for Mr Yekatom (“Contact Restrictions”): (1) non-privileged phone calls

¹ Defence for Mr Ngaïssona, “Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions” (“Urgent Request”), 25 July 2025, ICC-01/14-01/18-2788.

² Appeals Chamber, “Order on the filing of observations” (“Order”), 31 July 2025, ICC-01/14-01/18-2792.

³ Trial Chamber V, “Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 17 April 2020, ICC-01/14-01/18-485-Conf, paras. 13, 30; Trial Chamber V, “Second Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 21 August 2020, ICC-01/14-01/18-627, paras. 18-19, 24; Trial Chamber V, “Third Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 11 November 2020, ICC-01/14-01/18-727-Conf, paras. 18, 22, 26; Trial Chamber V, “Fourth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 27 May 2021, ICC-01/14-01/18-1008-Conf, paras. 13, 19, 21-25; Trial Chamber V, “Fifth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 27 October 2021, ICC-01/14-01/18-1148-Conf, para. 11; Trial Chamber V, “Sixth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 20 May 2022, ICC-01/14-01/18-1420-Conf-Exp, para. 12; Trial Chamber V, “Decision on Mr Yekatom’s Request to Add an Individual to his Non-Privileged Contact List”, 15 June 2022, ICC-01/14-01/18-1460-Conf-Exp; Trial Chamber V, “Seventh Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 29 September 2022, ICC-01/14-01/18-1590-Conf-Exp, paras. 10-11; Trial Chamber, “Decision on the Yekatom Defence Request to Amend Mr Yekatom’s Contact Restrictions based on a Proposed Agreement with the Prosecution”, 18 October 2022, paras. 9-10; Trial Chamber V, “Decision on the Second Yekatom Defence Request to Amend Mr Yekatom’s Contact Restrictions based on a Proposed Agreement with the Prosecution”, 8 February 2022, ICC-01/14-01/18-1745-Conf-Exp, paras. 5-6; Trial Chamber V, “Decision on the Second Yekatom Defence Request to Amend Mr Yekatom’s Contact Restrictions based on a Proposed Agreement with the Prosecution”, 8 February 2023, ICC-01/14-01/18-1745-Conf-Exp, paras. 5-6; Trial Chamber V, “Eight Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 5 April 2023, ICC-01/14-01/18-1830-Conf-Exp, paras. 11-12; Trial Chamber V, “Decision on the Implementation of the Eighth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 29 May 2023, ICC-01/14-01/18-1895-Conf-Exp, para. 10; Trial Chamber V, “Ninth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 25 October 2023, ICC-01/14-01/18-2165-Conf, paras. 17 and 19; Trial Chamber V, “Tenth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention”, 18 April 2024, ICC-01/14-01/18-2456-Conf, para. 14; Trial Chamber V, “Eleventh Decision on Mr Yekatom’s

and non-privileged visits are limited to individuals on his non-privileged contact list, whose identities and contact details have been duly verified beforehand by the Chief Custody Officer (“CCO”), who may request the support of the Victims and Witnesses Unit (“VWU”); (2) written correspondence is restricted to individuals on the non-privileged contact list; (3) non-privileged communications limited to the languages of French and Sango; and (4) the use of obscure or coded language and discussions related to his case, are prohibited during non-privileged communications.

3. On 24 July 2025, Trial Chamber V rendered its verdicts in the case of *The Prosecutor v Alfred Yekatom and Patrice-Edouard Ngaïssona*.⁴
4. On 25 July 2025, the Defence submitted its Urgent Request seeking the 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”.⁵
5. On 31 July 2025, the Chamber issued the Order stating that “the Prosecutor and the Registrar may submit written observations on the ‘Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions’ by Friday, 22 August 2025”.⁶
6. On 1 August 2025, the Office of the Prosecutor (“Prosecution”) submitted the “Prosecution’s Observations to “Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions”(ICC-01/14-01/18-2788)”, stating, *inter alia*, that

Restrictions on Contacts and Communications in Detention”, 3 October 2024, ICC-01/14-01/18-2715-Conf, para. 8.

⁴ Trial Chamber V, “JUDGMENT”, 24 July 2025, ICC-01/14-01/18-2784-Conf.

⁵ Defence for Mr Yekatom, Urgent Request, para. 21.

⁶ Appeals Chamber, Order.

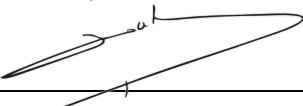
“the Prosecution does not oppose the sought temporary variation of [Mr Yekatom’s] contact and communication restrictions”.⁷

IV. Applicable Law

7. For the purpose of the present submissions, the Registry has considered regulation 99(1)(i) of the Regulations of the Court, and regulations 173, 174, and 175 of the Regulations of the Registry.

V. Submissions

8. Should the Chamber grant the Urgent Request, the Registry would be able to implement the variations to Mr Yekatom’s Contact Restrictions as sought by the Defence.⁸
9. Moreover, the VWU does not oppose the requested variations to Mr Yekatom’s Contact Restrictions provided that Mr Yekatom refrains from discussing or revealing in clear or coded language, 1) any identifying information about witnesses and their family members, such as names, pseudonyms, references to their work, or family links; and/or 2) any locations of witnesses and their family members.
10. The same recommendation applies to victims and witnesses who have appeared before the Court, regardless of whether they have benefited from in-court protective measures.



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

Dated this 11 August 2025

At The Hague, the Netherlands

⁷ Office of the Prosecutor, “Prosecution’s Observations to “Urgent Request for Amendment of Mr Yekatom’s Contact Restrictions”(ICC-01/14-01/18-2788)”, 1 August 2025, ICC-01/14-01/18-2793, para. 2.

⁸ Defence for Mr Yekatom, Urgent Request, para. 21.