

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 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 "Request for Amendment of Mr Ngaissona's
Contact Restrictions" (ICC-01/14-01/18-2795) dated 4 August 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

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☒ Legal Representatives of the Victims

V44

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☐ 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 “Request for Amendment of Mr Ngaïssona’s Contact Restrictions” (“Request”) dated 4 August 2025,¹ the Appeals Chamber (“Chamber”) issued the “Order on the filing of observations” (“Order”) on 6 August 2025, stating that “the Prosecutor and the Registrar may submit written observations on the ‘Request for Amendment of Mr Ngaïssona’s Contact Restrictions’ by Wednesday, 27 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 Ngaïssona (“Contact Restrictions”): (1) non-privileged phone calls 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

¹ Defence for Mr Ngaïssona, “Request for Amendment of Mr Ngaïssona’s Contact Restrictions” (“Request”), 4 August 2025, ICC-01/14-01/18-2795.

² Appeals Chamber, “Order on the filing of observations” (“Order”), 6 August 2025, ICC-01/14-01/18-2796.

³ 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, “Third Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 5 October 2020, ICC-01/14-01/18-672, 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; Trial Chamber V, “Eighth Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 31 October 2023, ICC-01/14-01/18-2177-Conf, paras. 26-34; Trial Chamber V, “Ninth Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 2 May 2024, ICC-01/14-01/18-2475-Conf, para 5; Trial Chamber V, “Tenth Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 29 November 2024, ICC-01/14-01/18-2741-Conf, para. 8; Trial Chamber V, “Eleventh Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 13 February 2025, ICC-01/14-01/18-2759-Red, para. 10; Trial Chamber V, “Twelfth Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”, 24 July 2025, ICC-01/14-01/18-2785, para. 5.

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 4 August 2025, the Defence submitted its Request seeking the Chamber to “modify the current restrictions on communications imposed on Mr Ngaïssona to allow him to discuss the Judgment with his non-privileged contacts, provided that no confidential information is mentioned or revealed”.⁵
5. On 6 August 2025, the Chamber issued the Order stating that “the Prosecutor and the Registrar may submit written observations on the ‘Request for Amendment of Mr Ngaïssona’s Contact Restrictions’ by Wednesday, 27 August 2025”.⁶

IV. Applicable Law

6. 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

7. Should the Chamber grant the Request, the Registry would be able to implement the variation to Mr Ngaïssona’s Contact Restrictions as sought by the Defence.⁷

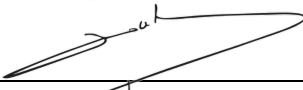
⁴ Trial Chamber V, “JUDGMENT”, 24 July 2025, ICC-01/14-01/18-2784-Conf.

⁵ Defence for Mr Ngaïssona, Request, para. 8.

⁶ Appeals Chamber, Order.

⁷ Defence for Mr Ngaïssona, Request, para. 8.

8. Moreover, the VWU does not oppose the requested variations to Mr Ngaïssona's Contact Restrictions provided that Mr Ngaïssona 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.
9. 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 12 August 2025

At The Hague, the Netherlands