

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/14-01/18
Date: 2 February 2026

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *PROSECUTOR v. ALFRED YEKATOM***

Public

Public Redacted version of “Prosecution’s Request for Expedited Consideration of its Application for Warrant of Arrest (ICC-01/14-18-US-Exp) in respect of Patrice Edouard NGAISSONA”, 7 December 2018, ICC-01/14-02/18-4-US-Exp, 5 February 2019, ICC-01/14-01/18-91-Conf-Red

Source: Office of the Prosecutor

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

The Office of the Prosecutor

[REDACTED]

[REDACTED]

[REDACTED]

Counsel for the Defence

[REDACTED]

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

[REDACTED]

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) requests Pre-Trial Chamber II (“Chamber”) to: (1) expeditiously consider the Prosecution’s pending Application for Warrant of Arrest in respect of **Patrice Edouard NGAISSONA** (“NGAISSONA”);¹ and (2) urgently issue an arrest warrant against **NGAISSONA**.

2. [REDACTED].²

3. **NGAISSONA**’s travel to the territory of a cooperative and fully capable State party provides the Court with an opportunity to ensure his immediate arrest and transfer to the Court. It further mitigates against the uncertainty of effectuating **NGAISSONA**’s arrest [REDACTED] amid the fragile security situation which continues to prevail, and [REDACTED]. The Court’s urgent action is thus warranted and justified.

II. CONFIDENTIALITY

4. This request is filed under seal and *ex parte*, pursuant to regulation 23bis(1) of the Regulations of the Court as it relates to the Warrant of Arrest Application filed with the same status. The Prosecution requests that the Chamber issue its decision with the same classification. Public disclosure at this time may jeopardise the Prosecution’s ongoing investigation, the conduct of any arrest, and may place witnesses at risk. The Prosecution will seek to unseal both this motion and any related decisions as soon as it becomes feasible.

¹ ICC-01/14-18-US-Exp (“Application”).

² [REDACTED].

III. SUBMISSIONS

A. The Chamber should urgently consider the Application

(a) The Court should seize the opportunity to effect NGAISSONA's arrest outside CAR

5. [REDACTED]. Although **NGAISSONA** has travelled pursuant to his duties as a member of the board of the Confederation of African Football ("CAF"),³ it is presently unknown what further travel arrangements he may have beyond that at the Prosecution's disposal. Moreover, it is uncertain, to say the least, to what extent the pending proceedings against Suspect **YEKATOM** may affect **NGAISSONA's** availability regarding any future arrest opportunity should the Chamber decide to act later.

6. Executing an ICC arrest warrant against **NGAISSONA** in these circumstances would be opportune. Moreover, acting now would minimise risks otherwise inherent in attempting [REDACTED] and his subsequent transfer to the Court to face charges for alleged crimes of serious concern to the international community.

7. The window of opportunity here is extremely narrow and requires the Chamber's decisive and swift action. The possibilities of successfully executing an [REDACTED] and, as explained below, both the prevailing instability in the country's security situation and the support that **NGAISSONA** continues to enjoy among his constituency, work against this.

8. Even if **NGAISSONA** could later be arrested by the [REDACTED] — and that is by no means a given — the security of his detention pending transfer to the

³ <https://www.bbc.com/news/world-africa-42926972> [Last accessed: 07/12/2018] (noting his election to the board in February 2018).

Court and even whether such a transfer could even take place in the future without risk is far from guaranteed. Further, these risks are underscored by **NGAISSONA**'s continued association with an armed group or members thereof which continues to be active in CAR.

9. The Court should thus urgently seize the opportunity to seek **NGAISSONA**'s arrest outside CAR.

(b) [REDACTED]

10. [REDACTED]. The Chamber may and should reasonably weigh and consider this circumstance.

(c) NGAISSONA's arrest and transfer now is the safest and most guaranteed course

11. Executing **NGAISSONA**'s arrest now, in France, or at the least [REDACTED], eliminates or minimises many serious risks associated with [REDACTED] of a person in his position: **NGAISSONA**'s position as an Anti-Balaka leader suggests his wide and continued support among the Anti-Balaka and arguably, splinter armed groups, which present a serious and ongoing danger to public security in CAR.

12. Arresting **NGAISSONA** [REDACTED] at the earliest opportunity would limit his access to his support network, and the ability to galvanise and mobilise support which could otherwise interfere with, endanger, or thwart his future arrest. It is the safest course to pursue regarding the security of both national and international personnel regarding the eventual execution of an ICC warrant against him.

B. Protective and other measures following arrest and transfer

13. Again, as set out in its 30 October 2018 notice,⁴ the Prosecution informed the Chamber that given the volatile and dangerous security situation in the CAR, extensive witness protective measures will be necessary, should the Chamber grant the Application. Moreover, the extensiveness of those measures may affect the timing of the Prosecution disclosure and the scheduling of the confirmation proceedings. Although this situation has not changed, it remains a further consideration even in respect of the prospective arrest of a second Suspect in this case.

14. The Chamber is aware that the Prosecution's Protection Strategies Unit, in consultation with the Victims and Witnesses Unit, has already started the process of assessing the security needs of the witnesses cited in the Application to determine which measures will be required for their protection.⁵ This will enable an expedited implementation of protective measures and responds to the urgency posed by the issuance of a warrant against **NGAISSONA**.

15. [REDACTED].

⁴ ICC-01/14-20-US-Exp.

⁵ ICC-01/14-20-US-Exp, para. 3.

IV. CONCLUSION

16. On the basis of the above, the Prosecution requests the Chamber to: (1) consider the pending Application with respect to **NGAISSONA** on an expedited basis, and (2) urgently issue a Warrant of Arrest against **NGAISSONA**.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 2nd day of February 2026
At The Hague, The Netherlands.