



Original: English

No.: ICC-01/14-01/18
Date: 16 February 2026

TRIAL CHAMBER V

Before: Judge Beti Hohler , Presiding Judge
Judge Joanna Korner
Judge Keebong Paek

**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 response to "Confidential redacted version of "Defence Request pursuant to Article 57(3)(b) of the Statute to Seek Cooperation from the [REDACTED]", (ICC-01/14-01/18-1844-Conf-Exp), notified on 20 April 2023" (ICC-01/14-01/18-1844-Conf-Red)",
2 May 2023, ICC-01/14-01/18-1857-Conf

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

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Legal Representatives of Victims

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Unrepresented Victims

Legal Representatives of Applicants

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

[REDACTED]

Counsel Support Section

Victims and Witnesses Unit

[REDACTED]

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Prosecution opposes the “Confidential redacted version of ‘Defence Request pursuant to Article 57(3)(b) of the Statute to Seek Cooperation from the [REDACTED]” (“Request”),¹ and requests Trial Chamber V (“Chamber”) to order the NGAISSONA Defence to file a lesser redacted version of its request as soon as possible.

2. The Request is overly redacted, and does not allow the Prosecution to assess whether it complies with the requirements of article 96(2). A lesser redacted version is thus necessary to afford the Prosecution a meaningful opportunity to respond, as foreseen by Regulation 24(1) of the Regulations of the Court (“RoC”).

II. CONFIDENTIALITY

3. This document is filed as “*Confidential*”, pursuant to regulation 23bis(2) of the RoC, because it responds to a filing of the same designation. However, as it does not discuss confidential information, the Prosecution considers that it can be reclassified once a Public redacted version of the Request is filed.

III. SUBMISSIONS

4. As noted, the Request is overly redacted. The limited information available does not allow the Prosecution to meaningfully determine whether (1) the Defence has, as submitted, met the requisite threshold of relevance, specificity, and necessity, or

¹ ICC-01/14-01/18-1844-Conf-Red.

otherwise satisfied the conditions of rule 116(1);² and (2) if the Request is otherwise proportional, given the countervailing interests.

5. The extensive redactions applied to paragraphs 18 to 27 of the Request prevent the Prosecution from addressing the merits of the Defence's assertion that the requested materials "are highly relevant and necessary to the proper determination of certain key factual issues".³ For example, the Prosecution is unable to determine whether any underlying privacy interests or other policy issues concerning the materials requested are appropriately addressed; or whether the matter at issue is one that of consequence in the case, merely collateral, or otherwise justifiable and substantiated.

6. Regulation 24(1) of the RoC affords the Prosecution an opportunity to file a meaningful response to the Request. However, this is not possible where – as here – the information made available is manifestly insufficient.

7. As such, the Defence should be directed to provide a lesser redacted version of the Request, such that it enables the Prosecution to reasonably address each of the legal elements necessary to the Chamber seeking cooperation pursuant to Part 9. Should additional information come to light as a result of such an order, or otherwise become known in the meantime, the Prosecution reserves its right to file a proper response.

² Request, paras. 2, 33.

³ Request, para. 17. *See also* para. 2.

IV CONCLUSION

8. For the reasons above, the Prosecution opposes the Request, and respectfully requests the Chamber to order the Defence to file a lesser redacted version as soon as possible.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 16th day of February 2026
At The Hague, The Netherlands