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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 Submission on Article 70 Investigation”,
1 June 2022, ICC-01/14-01/18-1444-Conf**

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The Office of the Prosecutor

[REDACTED]

[REDACTED]

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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. Pursuant to Trial Chamber V's ("Chamber") 22 March 2022 Order,¹ the Office of the Prosecutor ("Prosecution") provides its submissions on the disclosure status of material collected in the context of its ongoing article 70 inquiry.

2. *First*, as of 31 May 2022, the Prosecution has disclosed all of the material evidence that it has collected to date in the course of its investigation.

3. *Second*, there remains one undischarged Request for Assistance ("RFA") pending with [REDACTED] authorities. As the Chamber is aware, State cooperation has presented a substantial impediment to the Prosecution's ability to complete its inquiry expeditiously. However, the disclosure of this limited information upon its receipt will not cause unfair prejudice to the proceedings.

4. *Third*, given the disclosure of article 70 investigative material at this stage of the case, the Prosecution is properly concerned about the security of the witnesses involved and indeed, the confidentiality of the information itself. The confidentiality of information has previously been breached in the case. Thus, the Prosecution requests the Chamber firmly to reiterate the Parties' need to fully observe and respect their obligations under the applicable protocol.

II. CONFIDENTIALITY

5. Pursuant to regulation 23*bis*(2) of the Regulations of the Court ("RoC"), this document is filed as "Confidential, EX PARTE, available only to the Prosecution and the Registry", as it refers to filings of the same classification.

¹ ICC-01/14-01/18-1322-Conf-Exp, para. 4.

III. SUBMISSIONS

A. Nearly all material collected has been disclosed

6. As noted above, the Prosecution has disclosed *inter partes* all of the material evidence in its possession regarding the article 70 inquiry. These comprise 55 items disclosed on 30 and 31 May 2022.²

B. Outstanding investigative material

7. There remains one undischarged RFA pending with [REDACTED] authorities.³ [REDACTED].⁴ [REDACTED].⁵ [REDACTED].

8. The Prosecution expects to receive these materials expeditiously, as they were requested on an urgent basis with a compliance date of 10 June 2022.⁶ It is not known what the extent or volume of the information that may be produced in response to the RFA may be. Nor, is the Prosecution in a position to know approximately what the [REDACTED]. However, given the nature of the request, any responsive material will likely be particularly material to the ongoing inquiry. Nevertheless, the Prosecution intends to disclose any such material as soon as practical upon receipt, subject to review and the implementation of any authorised redactions.

C. Confidentiality

9. Although the Prosecution considers that the prevailing circumstances now permit it to disclose information concerning its article 70 inquiry without serious risk

² See ICC-01/14-01/18-1443-Conf-Anx (identifying Trial RULE 77 Package 78 and Trial RULE 77 Package 79 respectively containing 47 and 8 items relevant to the article 70 inquiry).

³ See RFA ref: [REDACTED], dated 9 May 2022, available on request.

⁴ See ICC-01/14-01/18-1310-Conf-Exp, para. 14.

⁵ See ICC-01/14-01/18-1310-Conf-Exp, para. 14 [REDACTED].

⁶ See RFA ref: [REDACTED], dated 9 May 2022, para. 33.

to the investigation, there have been several prior incidents wherein the confidentiality of information has been breached (whether or not inadvertent).

10. The Chamber has previously noted that it “has been informed of several incidents [REDACTED].⁷ [REDACTED].

11. In the circumstances, the Prosecution considers it prudent, indeed necessary, for the Chamber to reiterate its prior direction to the Parties,⁸ the Defence in particular, to scrupulously observe the requirements of the applicable protocol with respect to confidential information.

IV. CONCLUSION

12. The Prosecution thus confirms its disclosure of the material evidence in its possession regarding the article 70 inquiry. Any items received [REDACTED] authorities pursuant to the pending RFA will be disclosed as soon as practicable. Further to the disclosure of the material concerning its ongoing investigation at this stage, the Prosecution requests that the Chamber reiterate and firmly remind the Parties of their obligations to respect their confidential designation.



Mame Mandiaye Niang, Deputy Prosecutor

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

⁷ ICC-01/14-01/18-1136-Conf, para. 7.

⁸ ICC-01/14-01/18-T-046-CONF-ENG ET, p. 3, l. 13 to p. 5, l. 1.