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No.: ICC-01/14-01/18
Date: 17 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 AND PATRICE-
EDOUARD NGAÏSSONA***

Public

Public redacted version of "Prosecution's Observations Pursuant to the "Decision Pursuant to Regulation 101 of the Regulations of the Court" (ICC-01/14-01/18-176-Conf-Exp)", ICC-01/14-01/18-387-Conf, 21 October 2019

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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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Counsel for Patrice-Edouard Ngaïssona

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

[REDACTED]

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) submits its observations on the Ninth Registry Report on the Implementation of contact restrictions concerning Alfred YEKATOM (“YEKATOM”),¹ as directed by Pre-Trial Chamber II (“Chamber”).²

2. The current restrictions on YEKATOM’s contacts in detention and the level of active random monitoring imposed should be maintained and fully implemented for the remainder of the pre-trial proceedings, as ordered by the Chamber in its 15 April 2019 Decision.³ This will minimise the risk to the on-going investigation and to witnesses whose identities are now known to the Suspect, and whose security in this case remains precarious.

II. CONFIDENTIALITY

3. These Observations are filed as “*EX PARTE*, only available to the Prosecution, Yekatom Defence, and VWU” as they respond to a Registry Report of the same designation.

III. SUBMISSIONS

A. Current contact restrictions should minimally be maintained

4. There has been no change in circumstances that would require the Chamber to reconsider its determination regarding the contact restrictions currently imposed on YEKATOM. These restrictions remain proportionate and minimally necessary to attenuate some of the risks posed regarding the integrity of the on-going investigation

¹ ICC-01/14-01/18-386-Conf-Exp.

² ICC-01/14-01/18-176-Conf-Red.

³ ICC-01/14-01/18-176-Conf-Red.

pursuant to regulation 101(2)(b), and as concerns the protection of witnesses and victims pursuant to regulation 101(2)(c) and (f).

5. Witnesses' security in this case remains precarious, and is exacerbated by the prevailing security situation in the Central African Republic ("CAR"). There has been no change in the ability of the CAR authorities to implement necessary security measures for the protection of witnesses and victims.

6. The Document Containing the Charges ("DCC") has been filed,⁴ the Parties and Participants have completed their confirmation hearing submissions; and the Prosecution has responded to the Defence's further argumentation.⁵ YEKATOM therefore has a clear understanding of the nature and extent of the charges against him and, importantly, the specific evidence which support them. This includes the statements of Prosecution Witnesses whose identities, with few exceptions, have been fully disclosed. The prevailing circumstances augment the risk posed to witnesses whether directly or indirectly.

7. Given YEKATOM's history, spelt out in previous Prosecution filings, he and his current and former associates, and supporters, continue to present a genuine risk to Prosecution Witnesses. YEKATOM's recent Detention Centre history⁶ does not diminish the previously assessed *risk* to the security of witnesses,⁷ particularly given [REDACTED].⁸ Thus, ensuring witness security and protection pursuant to article 68 of the Statute requires, at the very least, that the conditions and restrictions that the Chamber has ordered to date remain in place, vigilantly observed, and fully implemented.

⁴ ICC-01/14-01/18-282 and Confidential Annexes A to J.

⁵ ICC-01/14-01/18-376-Corr-Red.

⁶ ICC-01/14-01/18-62-Conf-Red.

⁷ ICC-01/14-01/18-170-Conf-Exp.

⁸ ICC-01/14-01/18-357-Conf-Exp-Red; ICC-01/14-01/18-337-Conf-Exp-Red; ICC-01/14-01/18-277-Conf-Exp.

B. Impact of lifting contact restrictions on one of the co-Suspects

8. The current contact restrictions on YEKATOM are also necessary to avoid defeating those imposed on co-Suspect, NGAISSONA. Since 29 January 2019,⁹ both Suspects have been free to communicate with each other following the termination of their separation. The crimes attributed to YEKATOM and imputed to NGAISSONA are based on the same evidence. Moreover, salient aspects of the case against both substantially overlap, heightening the risk of their collusion to undermine on-going investigations. Therefore, lifting or modifying the current contact restrictions on either one of the Suspects effectively undermines the effectiveness of the restrictions placed on the other, as they share common interests in the outcome of the case.¹⁰

IV. CONCLUSION

9. For the above reasons, the existing contact restrictions concerning YEKATOM should, at a minimum, be maintained and fully implemented for the remainder of the pre-trial proceedings.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 17th day of February 2026
At The Hague, The Netherlands

⁹ ICC-01/14-01/18-106-Conf-Exp-Red.

¹⁰ ICC-01/14-01/18-86-Conf-Exp, para. 14.