

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **24 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 *THE PROSECUTOR v.*
*ALFRED ROMBHOT YEKATOM & PATRICE-EDOUARD NGAÏSSONA***

Public

Public Redacted Version of the 'Yekatom Defence Observations on First Registry Report on the Implementation of the Restrictions on Contacts by Mr. Alfred Yekatom ordered by Trial Chamber V', 28 July 2020, ICC-01/14-01/18-606-Conf

Source: Defence for Mr. Alfred Rombhot Yekatom

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

D30

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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

1. Counsel representing Mr. Alfred Rombhot Yekatom (“Defence” and “Mr. Yekatom”, respectively) respectfully submit their observations on the *First Registry Report on the Implementation of the Restrictions on Contacts by Mr. Alfred Yekatom Ordered by Trial Chamber V (“Registry Report”)*.¹
2. The *Registry Report* indicates that on one occasion during the reporting period, Mr. Yekatom breached the restrictions when [REDACTED] recorded part of their conversation for the purpose of playing it for a third party.² As a result, the Registry has removed [REDACTED] from Mr. Yekatom’s contact list.³
3. The Registry has noted that the substance of the conversation related to private matters and did not breach any restrictions on the content of communications.⁴ It further noted that Mr. Yekatom appears to have asked [REDACTED] to remind the third party about his restrictions on contacts, and that this party would need to be vetted before Mr. Yekatom would be allowed to call her.⁵
4. Mr. Yekatom once again apologises to the Detention Unit and the Chamber for this second misstep on his part. When [REDACTED] indicated that he would record a message for the third party, Mr. Yekatom should have told him not to do so. That was a lapse on his part and he is truly sorry for that lapse.
5. [REDACTED]
6. A list of these instructions has been provided in French and Sango to Mr. Yekatom. It is hoped that by taking these affirmative steps, Mr. Yekatom will avoid violations of the restrictions, which occur when persons with whom he is speaking initiate a breach of the rules. Mr. Yekatom recognises that it is

¹ [ICC-01/14-01/18-592-Conf-Exp-Red.](#)

² *Id.*, para. 12.

³ *Id.*, para. 16.

⁴ *Id.*, para. 13.

⁵ *Id.*, para. 14.

his responsibility to prevent a breach of the rules and regrets that he did not do so in this instance.

7. While Mr. Yekatom did regrettably breach the restrictions, his conversation in no way involved interference with or threats to Prosecution witnesses, nor did he disclose any confidential information. On the contrary, his conversation was meant to convey the instructions on restrictions of contact to the third party including that they would not discuss Mr. Yekatom's case "*on ne va pas causer sur mon dossier*".⁶ Nothing in the conversation indicates that Mr. Yekatom intended to or attempted to affect the outcome of the proceedings or the investigation.
8. The Defence does not object to disclosure of the transcript of the conversation to the Prosecution, so that it can satisfy itself that no issues related to the security of Prosecution witnesses are implicated.⁷
9. With respect to the Prosecution's suggestion that the Registry review Mr. Yekatom's past calls and that active monitoring be intensified,⁸ the Defence notes that the Registry is free to do so at any time and has not requested any orders from the Trial Chamber to that effect.
10. Given that there are no changed circumstances since the Trial Chamber rejected the Defence proposal for modification of the schedule of telephone calls,⁹ the Defence has no further requests for modification of the restrictions at this time.
11. The Defence maintains its contention that these restrictions, coupled with the restrictions imposed in connection with the COVID-19 pandemic, are onerous and disproportionate and are incompatible with the presumption of

⁶ [ICC-01/14-01/18-592-Conf-Exp-Anx](#), para. 9.

⁷ See [ICC-01/14-01/18-599-Conf-Exp](#), paras. 13-14.

⁸ *Id.*, paras. 8,15.

⁹ [ICC-01/14-01/18-507-Conf-Exp](#), paras. 10-11.

innocence. The Defence believes that the appropriate remedy is for the Chamber to grant the *Yekatom Second Motion for Interim Release*.¹⁰

CONFIDENTIALITY

12. These observations are filed on an *ex parte* basis because that is the classification of the *Registry Report* and the *Prosecution's Observations on the Registry Report*. The Defence does not believe that the contents of these observations warrant *ex parte* classification. Given the agreement of the Ngaïssona and Yekatom Defence to make detention related filings available to each other's defence team, the Chamber is respectfully requested to order the Registry and the parties to classify future filings on detention-related issues as confidential, rather than *ex parte*. This pleading can then be reclassified as confidential. The Defence further stands ready to file a public redacted version if permitted by the Chamber.¹¹

RESPECTFULLY SUBMITTED ON THIS 24th DAY OF FEBRUARY 2026



Me Mylène Dimitri
Lead Counsel for Mr. Yekatom

The Hague, the Netherlands

¹⁰ [ICC-01/14-01/18-603-Conf.](#)

¹¹ [ICC-01/14-01/18-526](#), paras. 18-20.