



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 *PROSECUTOR v. ALFRED YEKATOM AND PATRICE-  
EDOUARD NGAÏSSONA***

**Public**

**Public redacted version of “Prosecution’s Request under Articles 64(6)(b) and 93 of the Rome Statute to Summon a Witness, 24 November 2020, ICC-01/14-01/18-739-Conf-Exp”, ICC-01/14-01/18-739-Conf, 24 November 2020**

**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]

**Counsel for Alfred Yekatom**

[REDACTED]

[REDACTED]

**Counsel for Patrice-Edouard Ngaïssona**

[REDACTED]

**Legal Representatives of Victims**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**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”) requests that Trial Chamber V (“Chamber”) compel the attendance and testimony of witness P-2625 pursuant to article 64(6)(b), and that the competent authorities of [REDACTED] be requested to serve a summons on the witness, and to assist in his appearance pursuant to articles 93(1)(b) and 93(1)(d). P-2625 has withdrawn his cooperation with the Prosecution, including appearing as a witness in this case. His testimony is material to the confirmed charges, and without it the Prosecution will be deprived of important evidence going to the heart of the charged crimes. Likewise, the Chamber’s truth-finding function may be impeded. The Chamber should hear P-2625’s evidence.

2. P-2625 is a journalist and a former Minister of Communications of the Central African Republic (“CAR”).<sup>1</sup> His November 2019 statement to the Prosecution provides important evidence regarding key meetings he attended with NGAISSONA, former CAR President François BOZIZE (“BOZIZE”), and others in BOZIZE’s inner circle regarding, *inter alia*, the planning of a response to the 24 March 2013 Seleka *coup d’état* which ousted him from power. This encompasses military operations which resulted in the 5 December 2013 Anti-Balaka attack on Bangui. P-2625 also provides evidence regarding the main actors and instigators in the formation of the Anti-Balaka, and as regards the context of the conflict. He further has contemporaneous evidence, including audio recordings of meetings, [REDACTED]. The information P-2625 possesses is not only material to the charges, but also unique.

3. The witness resides within [REDACTED] jurisdiction,<sup>2</sup> [REDACTED]. Given that the requirements of relevance, specificity, and necessity are met, P-2625’s compulsion should be effectuated by the Chamber with the assistance of [REDACTED].

---

<sup>1</sup> CAR-OTP-2123-0377, at 0379, para. 11.

<sup>2</sup> See CAR-OTP-2123-0599, at 0599-0600.

## II. CONFIDENTIALITY

4. This document is filed as “Confidential, *Ex Parte*, only available to the Prosecution and VWU”, since it refers to information to which the Defence has no procedural right or interest. A confidential redacted version will be filed.

## III. APPLICABLE LAW

5. The Appeals Chamber has confirmed that article 64(6)(b) gives Chambers the power to compel a witness’ trial appearance, creating a legal obligation for the individual concerned.<sup>3</sup> States Parties are moreover obliged to cooperate with the Court (i) to serve summonses pursuant to article 93(1)(d);<sup>4</sup> and (ii) to compel witnesses’ appearance before a Trial Chamber *in situ* or *via* video-link, pursuant to article 93(1)(b), should those witnesses be unwilling to travel to the seat of the Court.<sup>5</sup>

6. To determine whether to issue such cooperation requests, Trial Chambers have held that they must satisfy the tripartite principles of (i) relevance, (ii) specificity and (iii) necessity.<sup>6</sup> In deciding whether to summons witnesses, Trial Chambers VII and V(A) have further considered “(i) whether the anticipated testimony of the witness is potentially necessary for the determination of the truth and (ii) whether a summons, as a compulsory measure, is necessary to obtain the testimony of the witness.”<sup>7</sup>

7. As described below, these requirements are clearly met.

<sup>3</sup> ICC-01/09-01/11-1598, para. 113.

<sup>4</sup> ICC-01/09-01/11-1598, para. 114.

<sup>5</sup> ICC-01/09-01/11-1598, paras. 128, 132. *See also* para. 123.

<sup>6</sup> *See* ICC-02/04-01/15-1254, para. 7, *citing* ICC-01/05-01/13-1343-Red, (“*Bemba et al*, Summons Decision”) para. 18; ICC-01/09-01/11-1274-Corr2, (“*Ruto* Summons Decision”), para. 181.

<sup>7</sup> *See Bemba et al*, Summons Decision, para. 18 *citing Ruto* Summons Decision, paras. 180-181.

## IV. SUBMISSIONS

### A. Relevance: P-2625's Anticipated Testimony is Material and Necessary for the Determination of the Truth

- i. P-2625's evidence tends to show NGAISSONA's close and early ties with François BOZIZE and the plan to galvanise and instrumentalise supporting militias*

8. P-2625's evidence is important to establish NGAISSONA's close ties with Levy YAKETE ("YAKETE") and Steve YAMBETE ("YAMBETE"), respectively leaders of the *Coalition citoyenne d'opposition aux rebelions armées* ("COCORA") and the *Comité d'organisation des actions citoyennes* ("COAC"), two pro-BOZIZE militia groups whose goal was to fight against the Seleka and their perceived supporters, the Muslims.<sup>8</sup> The witness's evidence supports other evidence in the case establishing NGAISSONA's personal involvement in the distribution of machetes and weapons to members of COCORA and COAC<sup>9</sup> to support both groups, as alleged in the Prosecution's Trial Brief.<sup>10</sup>

[REDACTED]

[REDACTED]

9. According to P-2625, in exchange for NGAISSONA's support of these pro-BOZIZE militias and their efforts, NGAISSONA was compensated by BOZIZE with the position of Minister of youth, cementing his influence over the youth he had acquired as President of the Central African Football Federation.<sup>11</sup>

[REDACTED]

<sup>8</sup> CAR-OTP-2123-0377, at 0383-0384, paras. 36-40; *see also* ICC-01/14-01/18-723-Conf ("Trial Brief"), paras. 53-55.

<sup>9</sup> CAR-OTP-2123-0377, at 0383, paras. 33-34. *See also* Trial Brief, paras. 53-56.

<sup>10</sup> Trial Brief, para. 53.

<sup>11</sup> CAR-OTP-2123-0377, at 0383, 0402, paras. 35, 148. *See also* Trial Brief, para. 59.

[REDACTED]

- ii. *P-2625's evidence tends to show NGAISSONA's involvement in the early planning of military reaction to the Seleka regime*

10. P-2625's evidence is critical to the determination of the truth. During the period of the crimes charged in this case, he attended several meetings with main Anti-Balaka leaders, including NGAISSONA, Ambassador Louis OGUERE ("OGUERE"), BOZIZE, YAKETE, YAMBETE, Joachim KOKATE ("KOKATE"), David GBANGA ("GBANGA").<sup>12</sup> As noted, during the course of these meetings, military options to regain power were discussed.

11. In April 2013, P-2625 attended at least three meetings in Yaoundé with members of BOZIZE's inner circle, including NGAISSONA, YAKETE, KOKATE, OGUERE, and GBANGA. During the first meeting, NGAISSONA and other attendees discussed employing military means to regain power in CAR.<sup>13</sup>

[REDACTED]

[REDACTED]

12. The witness's evidence establishes that the intention of NGAISSONA and other members of BOZIZE's circle to opt for a military solution to regain power became even clearer during a second meeting.<sup>14</sup>

[REDACTED]

[REDACTED]

---

<sup>12</sup> CAR-OTP-2123-0377, at 0380, 0386-0394, paras. 16, 57-98. *See also* ICC-01/14-01/18-403-Conf ("Confirmation Decision"), para. 79.

<sup>13</sup> CAR-OTP-2123-0377, at 0388-0389, paras. 66, 68. *See also* Trial Brief, paras. 67-69.

<sup>14</sup> CAR-OTP-2123-0377, at 0389, paras. 69-70. *See also* Trial Brief, paras. 67-69.

13. In the course of the same meeting, P-2625 heard members of BOZIZE's circle voicing anti-Muslim rhetoric similar to that expressed by BOZIZE in December 2012, equating Muslims to foreigners.<sup>15</sup>

[REDACTED]

[REDACTED]

14. Moreover, as explained by P-2625, BOZIZE and others within his inner circle, including NGAISSONA, consistently played the patriotism and nationalism cards, using anti-Muslim propaganda to mobilise the youth which was essential for their objective to regain power.<sup>16</sup>

[REDACTED]

[REDACTED]

15. P-2625 also has first-hand evidence regarding the creation of FROCCA during a meeting in Paris in or around the end of June or in July 2013 that he attended with BOZIZE, NGAISSONA, YAKETE, Francis BOZIZE, Lin BANOUKEPA, and others within BOZIZE's inner circle and supporters.<sup>17</sup> His evidence is corroborated by a FROCCA Protocol Document recovered from NGAISSONA's email by the Prosecution detailing the group's agenda, including its "*Plan Stratégique*" and the appointment of its personnel, among whom P-2625 was designated, as was NGAISSONA.<sup>18</sup> P-2625 noted that:

[REDACTED]

---

<sup>15</sup> CAR-OTP-2123-0377, at 0388, 0399-0400, paras. 67, 133. *See also* Trial Brief, paras. 105-108; Confirmation Decision, para. 64, *in particular* fn. 135.

<sup>16</sup> CAR-OTP-2123-0377, at 0395, 0400, paras. 104, 135, 137-138. *See also* Trial Brief, paras. 54, 61-62; Confirmation Decision, para. 78, *in particular* fn. 174.

<sup>17</sup> CAR-OTP-2123-0377, at 0391-0392, paras. 84-85.

<sup>18</sup> *See* the FROCCA Protocol at CAR-OTP-2124-0852 and the email by which it was transmitted to NGAISSONA at CAR-OTP-2124-0851. *See also* Trial Brief, paras. 70, 96-99; Confirmation Decision, para. 82.

[REDACTED]

16. After the formalisation of FROCCA in August 2013, P-2625 attended another meeting in Paris during which NGAISSONA reported on his contacts with members of BOZIZE's former Presidential Guard in the field operating in Cameroon, and the determination of his elements in Bangui and Bossangoa to fight the Seleka to regain power.<sup>19</sup>

[REDACTED]

[REDACTED]

[REDACTED]

*iii. P-2625's evidence shows NGAISSONA's direct involvement in the coordination of the 5 December 2013 attack and his instrumentalisation of the Anti-Balaka*

17. P-2625's appearance before the Chamber is important to establishing the truth regarding NGAISSONA's involvement in the planning of the of the 5 December 2013 attack on Bangui, and the nature and extent of his involvement in the instrumentalisation of the groups galvanised by BOZIZE, Maxime MOKOM, and others in the forming and structuring of what became known as the Anti-Balaka.

18. P-2625's evidence demonstrates that NGAISSONA was at the core of the plan to attack Bangui as an essential component of claiming or reclaiming power in CAR.<sup>20</sup> For example, during one of the FROCCA meetings attended by P-2625, NGAISSONA reiterated the fact that military activities on the ground were well advanced.<sup>21</sup>

[REDACTED]

---

<sup>19</sup> CAR-OTP-2123-0377, at 0392, paras. 87-89. *See also* Trial Brief, paras. 96, 101-104.

<sup>20</sup> *See* Trial Brief, para. 257; Confirmation Decision, para. 111.

<sup>21</sup> CAR-OTP-2123-0377, at 0394, para. 97. *See also* Trial Brief, para. 101.

19. From France, NGAISSONA remained apprised of the situation on the ground. In particular, around August 2013, P-2625 overheard NGAISSONA inquiring of Maxime MOKOM over the phone about the military situation in the field.<sup>22</sup>

[REDACTED]

20. P-2625's evidence is material to show NGAISSONA's knowledge and intent regarding the Anti-Balaka's conduct, including concerning the group's impending Anti-Balaka on Bangui. For instance, P-2625 recounts how on 30 November 2013, NGAISSONA called to inform the witness that an imminent and planned Anti-Balaka attack on Bangui had been set for 1 December.<sup>23</sup>

[REDACTED]

[REDACTED]

21. NGAISSONA further confirmed to P-2625 that he not only financed the purchase of weapons for the Anti-Balaka, but was involved in the coordination of the 5 December 2013 attack.<sup>24</sup>

[REDACTED]

22. On 13 December 2013, a day after P-2625 took office as Minister of Communications, NGAISSONA once again called the witness to initiate a negotiation between DJOTODIA and BOZIZE, thus confirming his direct involvement in the 5 December 2013 Anti-Balaka attack.<sup>25</sup>

[REDACTED]

---

<sup>22</sup> CAR-OTP-2123-0377, at 0394, para. 98. *See also* Trial Brief, para. 101.

<sup>23</sup> CAR-OTP-2123-0377, at 0397, paras. 118-119. *See also* Trial Brief, para. 299.

<sup>24</sup> CAR-OTP-2123-0377, at 0401, para. 143.

<sup>25</sup> CAR-OTP-2123-0377, at 0401-0402, paras. 144, 147.

[REDACTED]

23. Moreover, in or around September 2014, well after it was clear that BOZIZE's immediate return to power in CAR was not likely, NGAISSONA continued to leverage and instrumentalise the Anti-Balaka to obtain power and personal benefit. When the then Prime Minister asked NGAISSONA to help securing Bangui, the Accused agreed to order his Anti-Balaka elements to stop committing crimes only if in return he was appointed Director of the "SOCASP" - *Société Centrafraine de Stockage des Produits Pétroliers*, a CAR public company.<sup>26</sup>

[REDACTED]

[REDACTED]

[REDACTED]

*iv. P-2625 can provide and authenticate contemporaneous and highly relevant evidence supporting the Prosecution case*

24. As a Central African journalist and former Minister of Communications, P-2625 was constantly apprised of the situation in CAR.<sup>27</sup> As such, P-2625 had access to relevant information independently supporting and corroborating his account and the Prosecution's evidence. In his statement, P-2625 indicated that he possesses information held in [REDACTED] concerning the situation in CAR between April 2013 and February 2014. According to the witness, the information includes minutes of meetings, names of actors involved in the conflict, summaries and reports, recordings of formal and informal meetings he attended with Anti-Balaka leaders, including NGAISSONA, copies of Western Union receipts regarding money

<sup>26</sup> CAR-OTP-2123-0377, at 0404-0405, paras. 161-163. *See also* P-0925: CAR-OTP-2107-0784, at 0813, l. 1027-1032, CAR-OTP-2107-1070, at 1084, l. 466-485; P-0884: CAR-OTP-2080-1565, at 1575, l. 331-346.

<sup>27</sup> CAR-OTP-2123-0377, at 0379, paras. 14-15.

transferred to Cameroon to purchase weapons, a diary containing the witness 'notes as well as names and telephone numbers of individuals, he interacted with.<sup>28</sup>

[REDACTED]

[REDACTED]

**B. *Specificity: the witness is clearly identified and resides within the jurisdiction of the competent authorities of [REDACTED]***

25. P-2625 is a journalist whose identity was disclosed to the Defence on 13 July 2020.<sup>29</sup> Given that the witness is clearly identified and within the jurisdiction of the competent [REDACTED] authorities, the requirement of specificity is satisfied.<sup>30</sup>

**C. *Necessity: a summons, as a compulsory measure, is necessary to obtain the testimony of the witness***

26. The Prosecution has exhausted all avenues to secure P-2625's voluntary attendance. [REDACTED]<sup>31</sup> [REDACTED]. However, in a 19 October 2020 email exchange with the Prosecution [REDACTED], P-2625 first alluded to his decision not to appear as a witness in this case.<sup>32</sup> Despite the Prosecution's attempts to reinitiate contact, including when conveying to P-2625 the YEKATOM Defence's 20 October 2020 request to interview him, P-2625 remained silent.<sup>33</sup>

27. In the evening of 20 October 2020 at 21:36, the [REDACTED] law enforcement officer assigned to liaise with P-2625 informed the Prosecution that earlier that afternoon at 13:00,<sup>34</sup> P-2625 notified him that he no longer wished to cooperate in this

<sup>28</sup> CAR-OTP-2123-0377, at 0380, paras. 19-21. See also paras. 81, 84.

<sup>29</sup> P-2625 statement was disclosed through Pre-Trial INCRIM package 40.

<sup>30</sup> *Bemba et al*, Summons Decision, para. 22; *Ruto*, Summons Decision, paras. 180-181.

<sup>31</sup> See CAR-OTP-2127-4444, at 4444-4447; CAR-OTP-2127-6432.

<sup>32</sup> CAR-OTP-2127-4444, at 4449.

<sup>33</sup> CAR-OTP-2127-4444, at 4449-4451.

<sup>34</sup> CAR-OTP-2127-6432, at 6433.

matter or receive correspondence from the ICC. The Prosecution was further informed that [REDACTED].<sup>35</sup> On 21 October 2020, the competent [REDACTED] authorities formally confirmed P-2625's decision to cease cooperation altogether and further advised that the Prosecution thus cease all attempts to contact the witness.

28. To date, P-2625's refusal to further cooperate with the Prosecution remains unchanged, and it is apparent that he will not testify in this trial unless compelled.

#### **D. P-2625's compelled testimony is justified**

29. P-2625's participation in critical planning meetings during which he interacted with key members of the Anti-Balaka leadership, including NGAISSONA, as well as his prior and subsequent dealings with BOZIZE and other members of his inner circle, goes to core issues in the Prosecution's case. He is a 'material witness' – his evidence is material and unique, and given his direct knowledge of the personal involvement of NGAISSONA and his ability to authenticate contemporaneous and highly probative evidence which can assist the Chamber in its determination of the truth, the interests of justice require his appearance and testimony. Absent his compulsion, the Chamber will be deprived of key evidence bearing on the Accused's culpability and its ability to establish the truth concerning important issues in this case may be impaired.

---

<sup>35</sup> CAR-OTP-2127-6432, at 6432-6433.

## V. CONCLUSION

30. For the above reasons, the Chamber should compel P-2625's appearance and direct the Registrar to prepare and transmit a request for assistance to the [REDACTED] authorities, pursuant to article 93(1)(b) and (d) to:

- serve a summons on the witness; and
- compel and ensure the witness' appearance to give testimony before the Court *in situ* or *via* video conference at a date to be determined.<sup>36</sup>

31. In addition, the Prosecution requests that the Chamber request the [REDACTED] authorities to take all available measures in accordance with the applicable national laws to ensure the witness' compliance with the summons pursuant to article 99(1).




---

**Mame Mandiaye Niang, Deputy Prosecutor**

Dated this 24<sup>th</sup> day of February 2026  
At The Hague, The Netherlands

---

<sup>36</sup> The Prosecution is not presently in a position to identify a specific date for P-2625's trial testimony. See ICC-01/14-01/18-589, para. 25 (noting that "the evidence presentation will commence in March 2021. The exact date will be communicated to the parties in due course"); see also ICC-01/05-01/13-1343-Red, pp. 11-12 (providing for the issuance of a summons absent a determinate date).