

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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

Date: 24 April 2026

THE APPEALS CHAMBER

Before: Judge Solomy Balungi Bossa, Presiding Judge
Judge Luz del Carmen Ibáñez Carranza
Judge Kimberly Prost
Judge Gocha Lordkipanidze
Judge Erdenebalsuren Damdin

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

***IN THE CASE OF THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-
EDOUARD NGAÏSSONA***

PUBLIC

**Public Redacted Version of “Addendum to the “Registry Observations on the
“Prosecution’s Request to Modify Conditions of Detention” (ICC-01/14-01/18-2865-
Conf-Exp) dated 22 January 2026” (ICC-01/14-01/18-2869-Conf-Exp) dated 28 January
2026”” (ICC-01/14-01/18-2878-Conf-Exp) dated 11 February 2026**

Source: Registry

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

☒ Legal Representatives of the Victims
V44, V45

☐ 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

I. Introduction

1. On 22 January 2026, the Appeals Chamber ("Chamber") issued the "Order on the filing of observations" instructing that the Defence for Mr Alfred Yekatom ("Defence for Mr Yekatom") and the Registrar to submit written observations, if any, on the "Prosecution's Request to Modify Conditions of Detention" ("Prosecution's Request") dated 22 January 2026.¹ Accordingly, on 28 January 2026, the Registry submitted the "Registry Observations on the "Prosecution's Request to Modify Conditions of Detention" (ICC-01/14-01/18-2865-Conf-Exp) dated 22 January 2026" ("Registry's Observations").²
2. On 9 February 2026, further to the "Yekatom Defence Response to 'Registry Observations on the "Prosecution's Request to Modify Conditions of Detention" (ICC-01/14-01/18-2865-Conf-Exp) dated 22 January 2026', ICC-01/14-01/18-2869-Conf-Exp, 28 January 2026" ("Defence's Response"),³ dated 30 January 2026, the Chamber issued the "Decision on the Prosecutor's request for leave to reply", directing the Registry to disclose to the Prosecutor the full unredacted version of the transcript of the 20 December 2025 call no later than 10 February 2026 and, provide additional observations on a matter raised in the Defence's Response,⁴ that had not been previously addressed in the Registry's Observations, by 11 February 2026.⁵ Accordingly, the Registry hereby

¹ Appeals Chamber, "Order on the filing of observations", 23 January 2026, ICC-01/14-01/18-2867-Conf-Exp; and Office of the Prosecutor, "Prosecution's Request to Modify Conditions of Detention" ("Prosecution Request"), 22 January 2026, ICC-01/14-01/18-2865-Conf-Exp.

² Registry, "Registry Observations on the "Prosecution's Request to Modify Conditions of Detention" (ICC-01/14-01/18-2865-Conf-Exp) dated 22 January 2026" ("Registry Observations"), 28 January 2026, ICC-01/14-01/18-2869-Conf-Exp. A confidential redacted version was filed on the same day.

³ Defence for Mr Yekatom, "Yekatom Defence Response to 'Registry Observations on the "Prosecution's Request to Modify Conditions of Detention" (ICC-01/14-01/18-2865-Conf-Exp) dated 22 January 2026', ICC-01/14-01/18-2869-Conf-Exp, 28 January 2026" ("Defence's Request"), 30 January 2026, ICC-01/14-01/18-2871-Conf-Exp.

⁴ Defence for Mr Yekatom, Defence's Request, para. 8.

⁵ Appeals Chamber, "Decision on the Prosecutor's request for leave to reply", 9 February 2026, ICC-01/14-01/18-2874-Conf-Exp, paras. 12 and 13.

informs the Chamber of the implementation of its instructions and submits the present addendum to the Registry's Observations.

II. Procedural History

3. The following contact restrictions ("Restrictions on Contacts") are currently in place for Mr Yekatom:

(i) non-privileged phone calls and visits are limited to individuals on Mr Yekatom's non-privileged contact list; (ii) written correspondence is restricted to individuals on that list; (iii) non-privileged communications are limited to the languages of French and Sango; and (iv) the use of obscure or coded language and discussions related to the present case are prohibited during non-privileged communications. In addition, random monitoring of Mr Yekatom's non-privileged telephone calls continues in accordance with regulation 175(1) of the Regulations of the Registry.⁶

Mr Yekatom must also refrain "from discussing or revealing in clear or coded language: [...] any identifying information about victims and witnesses and their family members, such as names, pseudonyms, references to their work, or family links; and [...] whereabouts of victims and witnesses and their family members".⁷

4. On 6 January 2026, the Registry informed the Chamber of the following matter and sought the Chamber guidance as to whether the communication set out below, together with the transcript of the non-privileged call of 20 December 2025 ("20 December 2025 Transcript") should be shared with the parties, in which case the Registry could propose a redacted version:

[...] On 20 December 2025, during a non-privileged telephone call that was randomly monitored on a post facto basis, Mr Yekatom appeared to communicate with an unauthorised person, [REDACTED] (also known as "[REDACTED]"), through an authorised person, namely his [REDACTED]. The communication took place via a WhatsApp call placed on speaker. During the call, Mr Yekatom stated, *inter alia*, that he was required to contact [REDACTED] through his [REDACTED] because the ICC had not yet approved his request to add her to his contact list.

⁶ Appeals Chamber, "Decision on restrictions to Mr Yekatom's contacts and communications in detention", 16 September 2025, ICC-01/14-01/18-2811, para. 20.

⁷ Appeals Chamber, "Decision on restrictions to Mr Yekatom's contacts and communications in detention", 16 September 2025, ICC-01/14-01/18-2811, paras. 2 and 20.

The Registry confirms that Mr Yekatom's request to add [REDACTED] to his non-privileged contact list was pending assessment by the Victims and Witnesses Unit ("VWU") and is currently on hold in light of the present report, in order to clarify the nature of the relationship between Mr Yekatom and [REDACTED]. In this respect, while both individuals have informed the Registry that they are [REDACTED], the content of the monitored call suggests that their relationship may stem from [REDACTED].

The Registry further notes that, during the same call, Mr Yekatom appeared to use obscure language, stating that he preferred not to discuss certain matters over the telephone, given that calls may be randomly monitored, and that he would rather discuss such matters in person during a visit, or have information conveyed to [REDACTED] through another visitor.

In view of the above, the CCO will, by memorandum, remind Mr Yekatom of the current restrictions on his contacts and communications and inform him that any breach thereof will be reported to the Chamber accordingly.

The Registry stands ready to file a report on this matter on the record of the case, together with the relevant transcript (attached herewith), should the Chamber so instruct, or alternatively to include the matter in its next periodic report on the implementation of the contact restrictions concerning Mr Yekatom, due on 1 March 2026. [...] ⁸

5. On 8 January 2026, the Chamber's Presiding Judge informed the Registry that the matter should be included in the next report and instructed the Registry to share the relevant email communication with the participants, subject to any necessary redactions.⁹ Accordingly, on 9 January 2026, the Registry disclosed the email communication together with the 20 December 2025 Transcript, to the Defence for Mr Yekatom. On 14 January 2026, a version of the transcript containing redactions of private information pertaining to third parties was disclosed to the Prosecution.¹⁰
6. On 22 January 2026, the Prosecution submitted its Request requesting the Chamber to, *inter alia*, modify Mr Yekatom's Restrictions on Contacts,¹¹ instruct the Registry to "investigate the identity of the third party who communicated via speaker phone with [Mr Yekatom] and to provide its findings forthwith",

⁸ Email from the Registry to the Appeals Chamber on 6 January 2026 at 16:53.

⁹ Email from the Appeals Chamber to the Registry on 8 January at 12:00.

¹⁰ Emails from the Registry to the Defence for Mr Yekatom on 9 January 2026 at 11:44 and to the Office of the Prosecutor on 14 January 2026 at 12:14.

¹¹ Office of the Prosecutor, Prosecution Request, paras. 6-8.

direct the Registry “to investigate all of [Mr Yekatom]’s non privileged calls since its 28 August 2025 Report [...] and to provide the results thereof by 2 March 2026 in its next Report, or as the Chamber may direct”.¹² The Prosecution further requested to be provided with an unredacted version of the 20 December 2025 Transcript.¹³

7. On 28 January 2026, the Defence for Mr Yekatom submitted the “Yekatom Defence Observations on ‘Prosecution’s Request to Modify Conditions of Detention’” (“28 January 2026 Observations”) seeking the Chamber to reject the Prosecution’s Request.¹⁴
8. On the same day, on 28 January 2026, the Registry submitted its observations on the Prosecution’s Request and reported an additional call of potential concern.¹⁵
9. On 30 January 2026, the Defence for Mr Yekatom submitted its Response to the Registry Observations partially withdrawing the relief sought in its 28 January 2026 Observations and stating, *inter alia*, that “any interim additional contact restrictions to be imposed should be limited to the active monitoring of Mr Yekatom’s telephone communications with non-privileged contacts; and that such communications be limited to 90 minutes per week”.¹⁶
10. On 9 February 2026, the Chamber issued the “Decision on the Prosecutor’s request for leave to reply”, instructing the Registry to, *inter alia*, provide additional observations on a matter raised in the Defence’s Response not

¹² Office of the Prosecutor, Prosecution Request, para. 9.

¹³ Office of the Prosecutor, Request, para. 10.

¹⁴ Defence for Mr Yekatom, “Yekatom Defence Observations on ‘Prosecution’s Request to Modify Conditions of Detention’”, 28 January 2026, ICC-01/14-01/18-2868-Conf-Exp.

¹⁵ Registry, Registry Observations.

¹⁶ Defence for Mr Yekatom, Defence Request, para. 8.

previously addressed in the Registry's Observations and directing the Registry to disclose to the Prosecutor the full unredacted 20 December 2025 Transcript.¹⁷

IV. Applicable Law

11. For the purpose of the present submissions, the Registry has considered regulation 101(2) the Regulations of the Court ("RoC"), and regulations 173, 174 and 175 of the Regulations of the Registry.

V. Classification

12. In accordance with regulation 23 *bis*(1) of the RoC, the present observations are submitted as confidential *ex parte* only available to the Defence for Mr Yekatom, the Prosecution and the Registry, since it refers to submissions of the same classification level.

VI. Submissions

13. The Registry informs the Chamber that, in accordance with its instructions, it has disclosed to the Prosecutor the full, unredacted 20 December 2025 Transcript.¹⁸

14. The Registry further provides the following additional observations concerning i) the active monitoring of non-privileged telephone calls and ii) the active monitoring of non-privileged visits.

i) Non-privileged telephone calls

15. Should the Chamber order that Mr Yekatom non-privileged calls be actively monitored and limited to 90 minutes per week as referred to in the Defence's

¹⁷ Appeals Chamber, "Decision on the Prosecutor's request for leave to reply", 9 February 2026, ICC-01/14-01/18-2874-Conf-Ex, paras. 12-13.

¹⁸ Email from the Registry to the Office of the Prosecutor on 9 February 2026 at 16:55.

Request,¹⁹ the Registry informs the Chamber that it has the operational capacity to implement these limitations.

16. Active monitoring of non-privileged telephone calls and visits takes place according to a fixed schedule, in order for an interpreter to listen live to the telephone calls. In terms of resources, active monitoring requires the Registry to carry out several more hours of work after the live telephone call, in order for the Language Services Section ("LSS") interpreter to summarize the conversations, and listen again to some excerpts if necessary. The summaries are then reviewed by the Detention Section staff, in consultation with LSS, as needed. The Registry would bring to the attention of the Chamber any potential concern in its bi annual report or as otherwise instructed.²⁰

ii) Non-Privileged Visits

17. Furthermore, the Registry notes that the Prosecution has requested that Mr Yekatom's non-privileged visits be subject to active monitoring.²¹ The Registry informs the Chamber that it possesses the operational capacity to implement such monitoring.
18. In order to implement active monitoring of non-privileged visits, the ICC Detention Centre ("DC") would be required to allocate [REDACTED].
19. Non-privileged visits subject to active monitoring [REDACTED]. Consequently, the implementation of such measures would potentially affect all detained persons and not only Mr Yekatom. By way of illustration, in the absence of active monitoring, detained persons may receive full-day visits from their families. However, where visits are subject to active monitoring, their

¹⁹ Defence for Mr Yekatom, Defence's Request, para.8.

²⁰ Appeals Chamber, "Decision on restrictions to Mr Yekatom's contacts and communications in detention", 16 September 2025, ICC-01/14-01/18-2811, para. 31.

²¹ Office of the Prosecutor, Prosecution Request, paras. 6 and 7.

duration would be reduced to approximately half day, depending on the operational capacity of the ICC DC.

20. The Registry further respectfully informs the Chamber that non-privileged visits subject to active monitoring would not take place during weekends or official ICC holidays.

Charlotte Dahuron

p.p Marc Dubuisson, Director of the Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 24 April 2026
At The Hague, the Netherlands