



Original: English

No. ICC-01/14-01/18

Date: 14 July 2026

TRIAL CHAMBER V

Before: Judge Beti Hohler, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

**Public
with one confidential annex**

Decision pursuant to Regulation 23*bis* of the Regulations of the Court

Decision to be notified, in accordance with regulation 31 of the Regulations of the Court, to:

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

Yekatom Defence

Ngaïssona Defence

☒ **Legal Representatives of the Victims**
Common Legal Representatives of Victims of
Other Crimes

☐ **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**

Registrar
Osvaldo Zavala Giler

☐ **Counsel Support Section**

☒ **Victims and Witnesses Unit**

☐ **Detention Section**

☒ **Victims Participation and Reparations
Section**

☒ **Other**
Common Legal Representative of Victims
of Former Child Soldiers

Judge Beti Hohler, acting as Single Judge on behalf of Trial Chamber V of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Regulation 23bis of the Regulations of the Court, issues this ‘Decision pursuant to Regulation 23bis of the Regulations of the Court’.

I. Introduction

1. On 2 December 2025, the Single Judge instructed the parties and participants to undertake a review of their confidential *ex parte* and confidential filings on the case record and complete the exercise set out in the order by 26 February 2026.¹
2. In response to the above order, the parties and participants submitted a number of requests for reclassification of confidential filings and/or requests to maintain the existing classification of filings. Several requests have already been addressed in individual email rulings by the Single Judge. This decision contains rulings on all remaining requests related to the publicity of the case record.

II. Analysis

3. On 19 February 2026 at 14:49, the Office of the Prosecutor (the ‘Prosecution’) submitted a request for reclassification of eleven annexes to filings.² The Single Judge notes that the reclassification as ‘Public’ of Annex ICC-01/14-01/18-1110-Conf-AnxA would create a discrepancy with the public redacted version of the main filing (ICC-01/14-01/18-1110-Red), where the information contained in the annex is redacted. In these circumstances, the Single Judge rejects the request for the re-classification of this annex as public and invites the Prosecution to consider and resolve this inconsistency, *i.e.* to propose the reclassification of the main filing along with the annex or file a lesser redacted version. The Single Judge grants the rest of the request and orders the Registrar to reclassify the following documents as public: ICC-01/14-01/18-1139-Conf-Exp-Anx-Corr; ICC-01/14-01/18-1211-Conf-AnxA; ICC-01/14-01/18-1211-Conf-AnxB; ICC-01/14-01/18-

¹ [Order to review confidential *ex parte* and confidential filings on the case record](#), ICC-01/14-01/18-2852.

² Email from the Prosecution, 19 February 2026, at 14:49. See Annex, p. 2.

282-Conf-AnxF3; ICC-01/14-01/18-282-Conf-AnxF4; ICC-01/14-01/18-282-Conf-AnxF5; ICC-01/14-01/18-282-Conf-AnxF6; ICC-01/14-01/18-282-Conf-AnxF7; ICC-01/14-01/18-282-Conf-AnxF8; ICC-01/14-01/18-282-Conf-AnxF9.

4. On 25 February 2026 at 14:40, the Prosecution submitted a request for reclassification of nine filings.³ The Single Judge notes that documents ICC-01/14-01/18-244-Conf-Exp and ICC-01/14-01/18-40-Conf are already reclassified as ‘Public’ pursuant to a previous order of the Single Judge.⁴ The Single Judge notes that document ICC-01/14-01/18-2813-Conf is a request that was filed before the Appeals Chamber, and therefore invites the Prosecution to seek re-classification before the Appeals Chamber. With regard to the reclassification of document ICC-01/14-01/18-1857-Conf, the Single Judge notes that the Prosecution had filed a public redacted version of it on 16 February 2026.⁵ The Single Judge grants the rest of the request and orders the Registrar to reclassify the following documents as public: ICC-01/14-01/18-876-Conf; ICC-01/14-01/18-912-Conf; ICC-01/14-01/18-1655-Conf; ICC-01/14-01/18-1816-Conf; ICC-01/14-01/18-2226-Conf.
5. On 25 February 2026 at 17:28, the Common Legal Representatives of Victims of Other Crimes (the ‘CLRV’) submitted a request for reclassification of two filings.⁶ The Single Judge grants the request and orders the Registrar to reclassify the following documents as public: ICC-01/14-01/18-2059-Conf-AnxA and ICC-01/14-01/18-2094-Conf-AnxA.
6. On 26 February 2026 at 10:31, the Prosecution submitted a request for reclassification of 21 filings and 14 annexes to filings.⁷ The Single Judge notes that document ICC-01/14-01/18-2147-Conf was already reclassified as ‘Public’

³ Email from the Prosecution, 25 February 2026, at 14:40. *See* Annex, p. 3. The list contains ten items, however, the Single Judge notes that one filing (ICC-01/14-01/18-912-Conf) is listed twice under nos. 4 and 10.

⁴ *See* email from the Single Judge, 27 February 2026, at 10:25, ruling upon Prosecution’s request, submitted on 25 February 2026, at 10:27, which also included these two documents. The documents in question were reclassified as ICC-01/14-01/18-244 and ICC-01/14-01/18-40.

⁵ *See* ICC-01/14-01/18-1857-Red.

⁶ Email from the CLRV, 25 February 2026, at 17:28. *See* Annex, p. 4.

⁷ Email from the Prosecution, 26 February 2026, at 10:31. *See* Annex, pp. 5-6.

pursuant to a previous order of the Single Judge and therefore does not require reclassification.⁸ Further, the Single Judge considers that ICC-01/14-01/18-2738-Conf-AnxB should remain confidential, because it contains photographs of individuals which are classified as confidential in the evidentiary database and because the reclassification would draw unnecessary attention to the individuals photographed. The Single Judge grants the rest of the request and orders the Registrar to reclassify the following documents as public: ICC-01/14-01/18-1816-Conf; ICC-01/14-01/18-2418-Conf-Corr; ICC-01/14-01/18-2714-Conf; ICC-01/14-01/18-311-Conf; ICC-01/14-01/18-312-Conf; ICC-01/14-01/18-330-Conf; ICC-01/14-01/18-392-Conf; ICC-01/14-01/18-412-Conf; ICC-01/14-01/18-418-Conf; ICC-01/14-01/18-432-Conf; ICC-01/14-01/18-446-Conf; ICC-01/14-01/18-453-Conf; ICC-01/14-01/18-490-Conf; ICC-01/14-01/18-501-Conf; ICC-01/14-01/18-593-Conf; ICC-01/14-01/18-686-Conf; ICC-01/14-01/18-830-Conf; ICC-01/14-01/18-634-Conf-Red; ICC-01/14-01/18-642-Conf; ICC-01/14-01/18-2418-Conf-Corr; ICC-01/14-01/18-2141-Conf-AnxA; ICC-01/14-01/18-2141-Conf-AnxB; ICC-01/14-01/18-2141-Conf-AnxC; ICC-01/14-01/18-2147-Conf-AnxC; ICC-01/14-01/18-2679-Conf-AnxA; ICC-01/14-01/18-282-Conf-AnxA; ICC-01/14-01/18-282-Conf-AnxC; ICC-01/14-01/18-282-Conf-AnxD1; ICC-01/14-01/18-282-Conf-AnxD2; ICC-01/14-01/18-282-Conf-AnxF1; ICC-01/14-01/18-282-Conf-AnxF10; ICC-01/14-01/18-282-Conf-AnxF11; ICC-01/14-01/18-282-Conf-AnxF2.

7. On 26 February 2026 at 10:55, the Prosecution submitted a request to maintain classification for specific categories of annexes to filings.⁹ The CRLV endorsed the Prosecution's request to retain the confidentiality of specific documents pertaining to dual status individuals.¹⁰ First, the Single Judge notes that due to a registration mistake, document ICC-01/14-01/18-193-Conf-Exp-Anx is no longer available in the case record and is now registered under the filing number ICC-01/14-01/18-186-Conf-Exp-Anx. Second, the Single Judge notes that ICC-01/14-01/18-1671-Conf does not correspond to an annex, as submitted by the

⁸ See email from the Single Judge, 1 November 2023, at 16:40, pursuant to which the document was reclassified as ICC-01/14-01/18-2147.

⁹ Email from the Prosecution, 26 February 2026, at 10:55. See Annex, pp. 7-9.

¹⁰ Email from the CLRJ, 26 February 2026, at 14:35. See Annex, pp. 10-13.

Prosecution, but to a main filing, which is already available in a public redacted version. The Single Judge understands that the Prosecution intended to refer to the annex related to this filing, namely ICC-01/14-01/18-1671-Conf-Exp-Anx. The Single Judge has considered the relevant categories of filings and is satisfied that they should retain their original classification.

8. On 26 February 2026 at 14:17, the Registry submitted a request for reclassification of 21 filings and to maintain the existing classification for specific categories of filings.¹¹ With regard to the latter, the Single Judge is satisfied that the filings should retain their existing classification. With regard to the reclassification request, the Single Judge notes that document ICC-01/14-01/18-62-Conf-AnxII-Red-Corr-Anx is an explanatory note to a corrected version of an annex that remains classified as confidential. Upon request from the Single Judge, the Registry clarified that the document was included in the list by mistake and should remain confidential.¹² In light of this clarification, the Single Judge considers the request for reclassification of document ICC-01/14-01/18-62-Conf-AnxII-Red-Corr-Anx to have been withdrawn by the Registry. The current classification (confidential) thus remains. The Single Judge grants the reclassification request for other filings identified in the Registry's email and orders the Registrar:

- (i) to reclassify the following documents as public: ICC-01/14-01/18-189-Conf-Red; ICC-01/14-01/18-62-Conf-Red; ICC-01/14-01/18-23-Conf-Red; ICC-01/14-01/18-32-Conf-Red; ICC-01/14-01/18-81-Conf-Red; ICC-01/14-01/18-124-Conf-Red; ICC-01/14-01/18-125-Conf-Red; ICC-01/14-01/18-225-Conf-Red; ICC-01/14-01/18-226-Conf-Red; ICC-01/14-01/18-390-Conf-Red; ICC-01/14-01/18-444-Conf-Red; ICC-01/14-01/18-592-Conf-Red; ICC-01/14-01/18-702-Conf; ICC-01/14-01/18-841-Conf; ICC-01/14-01/18-1307-Conf; ICC-01/14-01/18-1741-Conf; ICC-01/14-01/18-2219-Conf; ICC-01/14-01/18-2590-Conf; ICC-01/14-01/18-2660-Conf; and

¹¹ Email from the Registry, 26 February 2026, at 14:17. *See* Annex, pp. 14-16.

¹² Email from the Registry, 6 May 2026, at 12:38. *See* Annex, pp. 17-20.

(ii) to reclassify document ICC-01/14-01/18-2119-Conf-Exp as confidential.

9. On 26 February 2026 at 14:48, the Yekatom Defence submitted a request for reclassification of three documents and proposed to maintain the existing classification of specific categories of filings.¹³ With regard to the latter, the Single Judge is satisfied that the categories of filings identified by the Yekatom Defence should retain their existing classification. In relation to the reclassification request, the Single Judge grants the request, and orders the Registrar to reclassify the following documents as public: ICC-01/14-01/18-793-Conf-Corr-AnxA; ICC-01/14-01/18-472-Conf-Anx; ICC-01/14-01/18-363-Conf-AnxA.
10. On 26 February 2026 at 15:14, the Prosecution submitted a request for reclassification of one item.¹⁴ The Single Judge grants the request and orders the Registrar to reclassify document ICC-01/14-01/18-811-Conf-AnxA-Corr as public.
11. On 26 February 2026 at 15:46, the Prosecution submitted a further request to maintain classification for specific confidential annexes to filings.¹⁵ The Single Judge grants the request, except for document ICC-01/14-01/18-282-Conf-AnxB2. The Single Judge considers that the French version of the Document Containing the Charges, which is one of the most important documents of the pre-trial proceedings, should be made public, especially since one of the official languages of the Central African Republic is French. The Single Judge also notes that the Prosecution has already applied redactions to the English version (ICC-01/14-01/18-282-AnxB1-Red2) which should expedite the application of redactions to the French version. The Single Judge therefore instructs the Prosecution to prepare and file a public redacted version of document ICC-01/14-01/18-282-Conf-AnxB2 into the case record.
12. On 26 February 2026 at 16:09, the Ngaïssona Defence submitted a request to maintain classification for specific confidential annexes to filings.¹⁶ The Single

¹³ Email from the Yekatom Defence, 26 February 2026, at 14:48. *See* Annex, pp. 21-32.

¹⁴ Email from the Prosecution, 26 February 2026, at 15:14. *See* Annex, p. 33.

¹⁵ Email from the Prosecution, 26 February 2026, at 15:46. *See* Annex, pp. 34-36.

¹⁶ Email from the Ngaïssona Defence, 26 February 2026, at 16:09. *See* Annex, pp. 37-53.

Judge is satisfied that the filings identified by the Ngaïssona Defence should retain their existing classification.

13. On 26 February 2026 at 16:09, the Prosecution submitted a request for reclassification of one item.¹⁷ The Single Judge notes that document ICC-01/14-01/18-28-Conf-Red is already reclassified as public pursuant to a previous order of the Single Judge.¹⁸
14. On 26 February 2026 at 16:10, the Ngaïssona Defence submitted a request for reclassification of eight items.¹⁹ The Single Judge notes that document ICC-01/14-01/18-1696-AnxA is already public. The Single Judge grants the request for the following documents, and instructs the Registry to reclassify them as public: ICC-01/14-01/18-410-Conf; ICC-01/14-01/18-435-Conf-Exp; ICC-01/14-01/18-638-Conf; ICC-01/14-01/18-2736-Conf-AnxA.¹⁹; ICC-01/14-01/18-662-Conf-Red. The Single Judge rejects the request regarding the following documents, and orders the Ngaïssona Defence to file public redacted versions of these documents: ICC-01/14-01/18-1014-Conf, considering that the filing refers to remarks made during private session in the hearing of 28 May 2021 as well as email decisions that are not part of the public record;²⁰ and ICC-01/14-01/18-2471-Conf, not only because it refers to parts that were redacted in the public redacted version of the Prosecution's request, specifically the pseudonym of the witness whose testimony would be relied on in the *Said* case,²¹ but also because the Ngaïssona Defence's response refers to the content of that testimony.²²

¹⁷ Email from the Prosecution, 26 February 2026, at 16:09. See Annex, p. 54.

¹⁸ See email from the Single Judge, 27 February 2026, at 10:25, ruling upon another Prosecution's request, submitted on 25 February 2026, at 10:27, which also included this document.

¹⁹ Email from the Ngaïssona Defence, 26 February 2026, at 16:10. See Annex, pp. 55-56.

²⁰ See ICC-01/14-01/18-1014-Conf, para 1, n. 2 referring to ICC-01/14-01/18-T-037, p. 3, lines 3-25.

²¹ See ICC-01/14-01/18-2471-Conf, paras 1, 4, 5, 7; *cfr.* ICC-01/14-01/18-2463-Red, paras 1, 3, 10-13.

²² See ICC-01/14-01/18-2471-Conf, para. 4.

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registrar to reclassify as public the documents listed in paragraphs 3 to 6, 8(i), 9 to 10 and 14 above;

ORDERS the Registrar to reclassify document ICC-01/14-01/18-2119-Conf-Exp as confidential, in accordance with paragraph 8(ii) above;

ORDERS the Prosecution to file a public redacted version of document ICC-01/14-01/18-282-Conf-AnxB2, in accordance with paragraph 11 above, by 4 September 2026; and

ORDERS the Ngaïssona Defence to file public redacted versions of two documents, in accordance with paragraph 14 above, by 4 September 2026.

Done in both English and French, the English version being authoritative.



Judge Beti Hohler
Single Judge

Dated this 14 July 2026

At The Hague, The Netherlands