

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 27 March 2020

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *THE PROSECUTOR v.*
*ALFRED ROMBHOT YEKATOM & PATRICE-EDOUARD NGAÏSSONA***

Public redacted version of "Response to Prosecution's Urgent Request for Non-Standard Redactions Under Rule 81(2)", 11 September 2019,
ICC-01/14-01/18-332-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

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Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation / Reparation)**

**The Office of Public Counsel for
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Defence**

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Amicus Curiae

REGISTRY

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Mr. Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Mr. Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

1. Counsel representing Mr. Alfred Rombhot Yekatom (“Defence” and “Mr. Yekatom”, respectively) respectfully oppose the Prosecution’s *Urgent Request for Non-Standard Redactions Under Rule 81 (2)*(“Request”).¹ The Prosecution’s request that it be authorised to redact information from the material it has been ordered to disclose concerning its Requests for Assistance (“RFAs”) to obtain [REDACTED] should be rejected.

CONFIDENTIALITY

2. The present motion is filed on a confidential basis because the Prosecution motion to which it responds has been classified as confidential. The Defence urges the Chamber to file a public redacted version of its *Decision on the Defence Motion for an Extension of Time to File List of Evidence and Related Motions* (3 September 2019)², and the Prosecution to file a public redacted version of its *Request* thereafter. The Defence will then file a public redacted version of this *Response*.

ARGUMENT

3. The Prosecution’s continuous effort to use its five-year-old Seleka investigation as a basis for withholding information from the Defence should be put to a stop.

4. While the particular redactions sought in the *Request* may not prejudice the Defence if the Prosecution is not relying on [REDACTED], as a matter of principle, the Defence opposes any effort by the Prosecution to use the on-going investigation of the Seleka as an excuse for not fully complying with its disclosure obligations.

¹ [ICC-01/14-01/18-329-Conf-Red.](#)

² [ICC-01/14-01/18-315-Conf](#), [REDACTED].

CONCLUSION

5. The Prosecution's *Request* should be denied.

RESPECTFULLY SUBMITTED ON THIS 27TH DAY OF MARCH 2020.



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