

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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No.: ICC-01/14-01/18
Date: 8 September 2021

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 YEKATOM AND PATRICE-EDOUARD
NGAISSONA**

PUBLIC

**Fourth Registry Report on the Implementation of the Restrictions on Contact of
Mr Ngaïssona Ordered by Trial Chamber V**

Source: Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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I. Introduction

1. Following the “Third Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention”¹ issued by Trial Chamber V (“Chamber”) on 5 October 2020, in which the Registry is ordered to report on the implementation of the restrictions on contact for Mr Patrice-Edouard Ngaïssona (“Mr Ngaïssona”) every six months, the Registry hereby submits its report on the monitoring of Mr Ngaïssona’s non-privileged telephone calls, visits and written correspondence since 8 March 2021. The Registry does not have any incidents to report.

II. Procedural history

2. Pursuant to a series of decisions,² the Chamber has ordered the restrictions on Mr Ngaïssona’s contacts to be: (1) actively monitored non-privileged phone calls with authorized family members, whose identity and contact details have been duly verified beforehand by the Chief Custody Officer (“CCO”), who may request the support of the Victims and Witnesses Unit (“VWU”), for 180 minutes distributed in two 90 minute periods, two times a week; (2) actively monitored visits with authorized family members, whose identities and contact details have also been duly verified beforehand; (3) written correspondence which is limited to the individuals on his non-privileged contact list; (4) non-privileged communication is limited to the languages of French and Sango; and (5) the prohibition of obscure or coded language and discussions related to his case during non-privileged communications. The Chamber also ordered the

¹ Trial Chamber V, “Third Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention” (“5 October 2020 Decision”), 5 October 2020, ICC-01/14-01/18-672-Conf, para. 25.

² Trial Chamber V, “Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention” (“17 April Decision”), 17 April 2020, ICC-01/14-01/18-484-Red2, paras. 15, 25; Trial Chamber V, “Second Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention” (“8 July 2020 Decision”), 8 July 2020, ICC-01/14-01/18-582, paras. 12-13, 15; 5 October 2020 Decision, paras. 16, 20-22; and Trial Chamber V, “Fourth Decision on Mr Ngaïssona’s Restrictions on Contacts and Communications in Detention” (“23 April 2021 Decision”), 23 April 2021, ICC-01/14-01/18-965-Red, paras. 17, 21.

Registry to submit reports on the implementation of the restrictions on contact every six months.³

III. Applicable law

3. For the purpose of the present submission, the Registry has considered regulations 99(1)(i), and 100 of the Regulations of the Court, and regulations 168, 169, 170, 173, 174, 175, 177, 179, 180, 183 and 184 of the Regulations of the Registry ("RoR").

IV. Submissions

In relation to the active monitoring order

4. Pursuant to the Chamber's restrictions on contacts, Mr Ngaïssona is authorized to make telephone phone calls twice a week for a total of 180 minutes per week to verified family members.⁴ The Registry has no incidents to report during Mr Ngaïssona's non-privileged telephone calls, which the Registry confirms take place twice a week in accordance with the schedule implemented by the ICC Detention Centre ("DC").
5. Regarding the implementation of non-privileged visits, all in-person visits at the DC resumed on 15 July 2021.⁵ The Registry has fully implemented the Chamber's restrictions on contact by actively monitoring Mr Ngaïssona's non-privileged visits from verified family members.⁶ The Registry does not have any incidents to report.

In relation to written correspondence

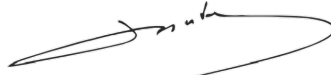
³ 5 October 2020 Decision, para. 25.

⁴ *Ibid.*, para. 21.

⁵ Registry, "Thirteenth Registry Update on Detention Centre COVID-19 Measures", 24 June 2021, ICC-01/14-01/18-1036, para. 4.

⁶ 17 April 2020 Decision, para. 15.

6. Any written correspondence or packages that are sent or received pursuant to regulations 168, 169 and 170 of the RoR are closely monitored in accordance with the relevant regulations and Chambers decisions.⁷ The Registry does not have any incidents to report in relation to written correspondence.



Marc Dubuisson, Director Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 8 September 2021

At The Hague, the Netherlands

⁷ *Ibid.*