

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/14-01/18
Date: 17 September 2019

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

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

**Confidential redacted, *EX PARTE*,
only available to the Prosecution and the Yekatom Defence
with
Under Seal, *EX PARTE*, only available to the Prosecution, Annex 1**

Confidential redacted version of "Prosecution's submission regarding the re-classification of ICC-01/14-01/18-24-US-Exp, pursuant to the 'Second Decision Pursuant to Regulation 101 of the Regulations of the Court' (ICC-01/14-01/18-25-Conf-Exp), 6 December 2018, ICC-01/14-01/18-28-US-Exp"

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

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Legal Representatives of the Victims

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

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. INTRODUCTION

1. The Office of the Prosecutor ("Prosecution") proposes the re-classification of its filing "regarding the extension of contact restrictions concerning Alfred YEKATOM's pre-trial detention"¹ ("Submission") as "Confidential" with redactions, pursuant to Pre-Trial Chamber II's "Second Decision Pursuant to Regulation 101 of the Regulations of the Court."²

II. CONFIDENTIALITY

2. This filing is classified as "under seal, *ex parte*, only available to the Prosecution," since it concerns filings with the same classification and contains information which, if disclosed, may jeopardise the conduct of any future arrest. A public version will be filed as soon as practicable.

III. SUBMISSIONS

3. The Submission may be reclassified as "Confidential", subject to redactions at paragraph 5 [REDACTED] The proposed redactions also cover other filings [REDACTED] in footnotes 3 and 4 of the Submission.

4. References to [REDACTED] and all related filings in footnotes 3 and 4 of the Prosecution's Submission are classified as "under seal and *ex parte*." They should thus be redacted. [REDACTED]. Similarly, disclosure of this information might pose a risk to witnesses and victims, and may endanger the integrity of the Prosecution's ongoing investigations.

5. The proposed redactions are highlighted in Annex 1.

¹ ICC-01/14-01/18-24-US-Exp.

² ICC-01/14-01/18-25-Conf-Exp, p. 5 ("Decision").

IV. CONCLUSION

6. For the foregoing reasons, the Prosecution proposes the reclassification of the Submission as 'Confidential' with the redactions specified in Annex 1.



Fatou Bensouda, Prosecutor

Dated this 17th day of September 2019

At The Hague, The Netherlands