

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/22

Date: 31 January 2024

PRE-TRIAL CHAMBER II

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF**

THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM GAWAKA

PUBLIC

Public Redacted Version of "Third Registry Report on the Implementation of the Restrictions on Contact Ordered by Pre-Trial Chamber II", ICC-01/14-01/22-85-Conf-Exp, filed on 13 September 2022

Source: Registry

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

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(Participation/Reparation)**

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Section**

I. Introduction

1. Following the “Fourth Decision on Contact Restrictions” (“28 June 2022 Decision”)¹ issued by Pre-Trial Chamber II (“Chamber”) on 28 June 2022, in which the Registry is ordered to report on the implementation of the contact restrictions in relation to Maxime Jeoffroy Eli Mokom Gawaka (“Mr Mokom”) by no later than 14 September 2022,² the Registry hereby submits its report.

II. Procedural history

2. Pursuant to a series of decisions,³ the Chamber has ordered the restrictions on Mr Mokom’s contacts until 28 September 2022 (inclusive) to be: (1) actively monitored non-privileged telephone calls, visits and written correspondence with authorised individuals, with the exception of his [REDACTED] and [REDACTED], whose identity and contact details have been properly vetted by the Registry; (2) non-privileged telephone calls limited to four hours per week (3) non-privileged communications limited to the languages of French and Sango; and (4) prohibition of using obscure or coded language and discussing his case or other cases pending before the Court during his non-privileged communications. The Chamber also ordered the Chief Custody Officer (“CCO”) to stop any telephone call or visit and seize any written communication made in violation of the Chamber’s order.⁴

III. Classification

3. In accordance with regulation 23 *bis*(2) of the Regulations of the Court (“RoC”), the present report is classified as confidential *ex parte* as it refers to decisions of the same level of classification.

¹ Pre-Trial Chamber II, “Fourth Decision on Contact Restrictions”, (“28 June 2022 Decision”), 28 June 2022, ICC-01/14-01/22-63-Conf-Exp.

² Pre-Trial Chamber II, 28 June 2022 Decision, para. 11.

³ Pre-Trial Chamber II, “Decision temporarily imposing contact restrictions on Mr Mokom” (“29 March 2022 Decision”), 29 March 2022, ICC-01/14-01/22-28-Conf-Exp, paras. 15-16; Pre-Trial Chamber II, “Third Decision on Contact Restrictions”, (“28 April 2022 Decision”), 28 April 2022, ICC-01/14-01/22-45-Conf-Exp, paras. 6-8; Pre-Trial Chamber II, 28 June 2022 Decision, paras. 7-10.

⁴ Pre-Trial Chamber II, 29 March 2022 Decision, para.16.

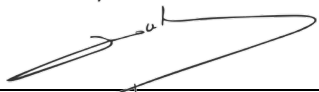
IV. Applicable law

4. For the purpose of the present report, the Registry has considered regulations 92, 99(1)(i), 100 and 101 of the RoC, and regulations 88, 168, 169, 173, 174, 175, 179, 180 and 189 of the Regulations of the Registry.

V. Submissions

In relation to Mr Mokom's restrictions on contact

5. Pursuant to the Chamber's decisions,⁵ Mr Mokom's non-privileged telephone calls, visits and correspondence are to be actively monitored, with the exception of his [REDACTED] and [REDACTED], with individuals whose identity and contact details have been properly vetted by the Registry, in consultation with the Prosecution, and when necessary, by seeking relevant information from Mr Mokom ("vetting process").⁶
6. The Registry has implemented the Chamber's restrictions on contact and vetting process as ordered by the Chamber.⁷ The Registry has no incidents to report regarding Mr Mokom's non-privileged telephone calls, visits or written correspondence.



Marc Dubuisson, Director Division of Judicial Services
on behalf of Mr Osvaldo Giler Zavala , Registrar

Dated this 31 January 2024

At The Hague, the Netherlands

⁵ Pre-Trial Chamber II, 29 March 2022 Decision, paras. 15-16; Pre-Trial Chamber, 28 April 2022 Decision, paras. 6-8; Pre-Trial Chamber II, 28 June 2022 Decision, paras. 7-10.

⁶ Pre-Trial Chamber, 28 April 2022 Decision, para.7; Pre-Trial Chamber II, 28 June 2022 Decision, para. 7.

⁷ *Ibid.*; See also Registry, "Second Registry Report on the Implementation of the Restrictions on Contact Ordered by Pre-Trial Chamber II and Request for Guidance on Non-Privileged Visits and Written Correspondence", 15 June 2022, ICC-01/14-01/22-59-Conf-Exp, paras. 11-16.