



Original: **English**

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

Date: **12 October 2026**

**TRIAL CHAMBER V**

**Before:** Judge Beti Hohler, Presiding Judge  
Judge Joanna Korner  
Judge Keebong Paek

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II**

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

**Public**

**Decision on Yekatom Defence's request regarding contact restrictions**

**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**

☐ **Trust Fund for Victims**

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**Registrar**

Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☒ **Detention Section**

☐ **Victims Participation and Reparations  
Section**

☐ **Other**

**TRIAL CHAMBER V** (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona* (the ‘*Yekatom and Ngaïssona* case’), having regard to article 68(1) of the Rome Statute, regulations 96 and 99-101 of the Regulations of the Court (‘Regulations’) and regulations 167-170, 173-175, 177-180, 182-185 and 187 of the Regulations of the Registry, issues this ‘Decision on Yekatom Defence’s request regarding contact restrictions’.

1. On 17 February 2026, following Alfred Yekatom’s violation of contact restrictions imposed by Trial Chamber V, in its previous composition,<sup>1</sup> the Appeals Chamber mandated, on an interim basis, the active monitoring of Alfred Yekatom’s communications and limited his non-privileged calls to 90 minutes per week.<sup>2</sup>
2. On 31 March 2026, the Appeals Chamber maintained these restrictions and extended them until ‘the next decision in relation to the next biannual reporting period of the Registry’.<sup>3</sup> In the same decision, the Appeals Chamber, ordered that all future reports, concerns, or requests relating to Alfred Yekatom’s contact restrictions should be addressed to Trial Chamber V.
3. On 2 September 2026, the Registry filed its fourteenth report on the implementation of the contact restrictions.<sup>4</sup>
4. On 11 September 2026, the Yekatom Defence requested the removal of the active monitoring of Alfred Yekatom’s calls and the 90 minutes per week limitation.<sup>5</sup> The Yekatom Defence submits that, in anticipation of the notification of the Registry Report, it consulted with the Prosecution on the possibility of lifting some restrictions on Alfred

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<sup>1</sup> See [Public redacted version of Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention](#), 16 February 2021, ICC-01/14-01/18-485-Red (confidential *ex parte*, only available to the Yekatom Defence, the Prosecution and the Registry, and confidential version notified on 17 April 2020), p. 16; [Ninth Decision on Mr Yekatom’s Restrictions on Contacts and Communications in Detention](#), ICC-01/14-01/18-2165 (confidential version notified on 25 October 2023 and reclassified as Public on 14 July 2025), paras 13-17.

<sup>2</sup> [Public redacted version of Decision on Prosecutor’s request to modify conditions of detention](#), 4 May 2026, ICC-01/14-01/18-2882-Red (confidential *ex parte* version notified on 17 February 2026) (the ‘17 February 2026 Decision’), paras 21, 26-28.

<sup>3</sup> [Public redacted version of Decision on the thirteenth Registry report on the implementation of the restrictions on contacts of Mr Yekatom](#), 4 May 2026, ICC-01/14-01/18-2897-Red (confidential *ex parte*, only available to the Yekatom Defence, the Prosecution and the Registry) (confidential version notified on 31 March 2026), (the ‘31 March 2026 Decision’), para. 19.

<sup>4</sup> [Fourteenth Registry Report on the Implementation of the Restrictions on Contact of Mr Yekatom](#), ICC-01/14-01/18-2930 (notified on 3 September 2026) (the ‘Registry Report’), para. 6.

<sup>5</sup> [Yekatom Defence Observations and Related Request Further to the ‘Fourteenth Registry Report on the Implementation of the Restrictions on Contacts of Mr Yekatom’](#), 11 September 2026, ICC-01/14-01/18-2931-Conf (with confidential Annex A) (the ‘Defence Request’), para. 3.

Yekatom's communications.<sup>6</sup> The Yekatom Defence further submits that following the notification of the Registry Report, which identified no concerns, the Prosecution indicated that 'it would not oppose the modification of Alfred Yekatom's restrictions on the understanding that it would seek to reimpose the stricter conditions should any more violations occur'.<sup>7</sup> The Prosecution did not file a response to the Defence Request.

5. The Chamber recalls that the following restrictions on contacts are currently in place for Alfred Yekatom: (i) non-privileged phone and video calls are actively monitored and limited to 90 minutes per week; (ii) non-privileged calls and visits are limited to individuals on his non-privileged contact list; (iii) written correspondence is restricted to individuals on that list; (iv) non-privileged communications are limited to the languages of French and Sango; and (v) discussing or revealing in clear or coded language any identifying information about victims and witnesses and their family members, such as names, pseudonyms, references to their work, or family links, and whereabouts of victims and witnesses and their family members is prohibited.<sup>8</sup>
6. The active monitoring of Alfred Yekatom's calls and their limitations to 90 minutes per week were instated following a violation of the restrictions on contacts imposed.<sup>9</sup> First, the Chamber notes that the Registry now reports that for the last six months, it 'has no concerns to report' regarding the implementation of the restrictions on Alfred Yekatom's contacts.<sup>10</sup> Second, noting that the Prosecution did not respond to the Defence Request, the Chamber considers that the Defence Request accurately reflects the Prosecution's position, namely that the Prosecution does not oppose the lifting of active monitoring and time limitation of calls. Third, there is no information before the Chamber indicating that the lifting of active monitoring and time limitation of Alfred Yekatom's calls jeopardises the interests protected by regulation 101(2) of the Regulations at the present time. Finally, the Chamber is mindful of the potential impact, as argued by the Defence, that the time limitation of calls has on Alfred Yekatom's ability to communicate with some of his

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<sup>6</sup> [Defence Request](#), ICC-01/14-01/18-2931-Conf, para. 11.

<sup>7</sup> [Defence Request](#), ICC-01/14-01/18-2931-Conf, para. 11. The Yekatom Defence further submits that the Prosecution indicated that it had no objection to the Defence reflecting its position in the Defence Request, [Defence Request](#), ICC-01/14-01/18-2931-Conf, para. 12.

<sup>8</sup> [31 March 2026 Decision](#), paras 8, 19. See also [17 February 2026 Decision](#), paras 27, 28; [Decision on restrictions to Mr Yekatom's contacts and communications in detention](#), 16 September 2025, ICC-01/14-01/18-2811, paras 20, 25-27.

<sup>9</sup> [Decision on Prosecutor's request to modify conditions of detention](#), ICC-01/14-01/18-2882-Red, paras 21, 26-28.

<sup>10</sup> [Registry Report](#), ICC-01/14-01/18-2930, para. 5.

family members. In these circumstances, the Chamber considers that the requirement of active monitoring and the limitation of calls to 90 minutes per week need not be maintained.

7. The Chamber further considers that passive monitoring of Alfred Yekatom's calls pursuant to regulation 174 of the Regulations of the Registry, together with the continuation of the remaining restrictions, provide sufficient safeguards for the interests protected pursuant to regulation 101(2) of the Regulations.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**GRANTS** the Defence Request;

**MAINTAINS** the current restrictions as described in paragraph 5(ii)-(v); and

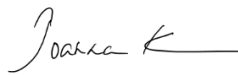
**INSTRUCTS** the Yekatom Defence to file a public redacted version of the Defence Request within seven days of the notification of the present decision.

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




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**Judge Beti Hohler**  
**Presiding Judge**




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**Judge Joanna Korner**




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**Judge Keebong Paek**

Dated 12 October 2026

At The Hague, The Netherlands