

**ANNEX 19**  
**Public Redacted**  
**Version**

[REDACTED]

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**From:** Trial Chamber V Communications  
**Sent:** 26 February 2024 09:58  
**To:** Office of the Director DJSS; [REDACTED]  
**Cc:** Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications  
**Subject:** Order concerning Potential Incident following Random Monitoring of Mr Yekatom's Communications

[ICC] RESTRICTED

Dear colleagues from the Registry,

The Single Judge takes note of the email below. He instructs the Registry to include the information in question and the relevant transcript, with redactions as necessary, in its regular report on the implementation of the restrictions on Mr Yekatom's contacts and communications in detention (see ICC-01/14-01/18-727-Conf, para. 33).

Kind regards, TC V

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**From:** [REDACTED]  
**Sent:** Wednesday, February 21, 2024 11:31 AM  
**To:** Trial Chamber V Communications [REDACTED]  
**Cc:** Office of the Director DJSS [REDACTED]  
**Subject:** Report of concern in the context of the random monitoring of Mr Yekatom's phone communications

[ICC] RESTRICTED

Dear Trial Chamber V,

On behalf of the Registry, in application of regulation 175 (1) of the Regulations of the Registry ("RoR"), the Chief Custody Officer ("CCO") has monitored at random the non-privileged telephone calls of Mr Yekatom, as a result of which, he wishes to report the following:

Pursuant to the "Ninth Decision on Mr Yekatom's Restrictions on Contacts and Communications in Detention" issued by Trial Chamber V on 25 October 2023 ("25 October 2023 Decision", ICC-01/14-01/18-2165-Conf, para. 19), the Registry is ordered, *inter alia*, "to continue reporting any incidents, significant developments, or challenges in relation to the implementation of the restrictions as soon as they arise".

In implementing the 25 October 2023 Decision, the Registry has ceased to conduct the random active monitoring of Mr Yekatom's non-privileged telephone calls, and Mr Yekatom's non-privileged telephone calls remain under passive monitoring. The 25 October 2023 Decision maintains the reminder of the contact restrictions including the prohibition of "using obscure or coded language or mentioning the present case" (ICC-01/14-01/18-485-Conf, para. 13 (v)).

In accordance with regulation 175 (1) of the RoR, the CCO has monitored Mr Yekatom's non-privileged telephone calls at random.

On 8 February 2024, during a non-privileged telephone call with Mr Yekatom's [REDACTED], Mr Yekatom mentioned to his interlocutor, *inter alia*, that [REDACTED]. He further stated that [REDACTED], and mentioned [REDACTED] to his interlocutor. Mr Yekatom has access to a computer in his cell which is connected to the Defence network.

In view of the above, on 20 February 2024, the CCO decided to remove this non-privileged contact from Mr Yekatom's telephone list and will inform Mr Yekatom accordingly via memorandum.

The Registry stands ready to file a report on the above matter in the record of the case together with the relevant transcript (attached herewith) should the Chamber so instruct.

Furthermore, the Registry seeks the Chamber's guidance as to whether the present communication should be shared with the parties, in which case, it could propose a redacted version thereof.

The Registry thanks the Chamber for its consideration and remains at its disposal for any other information it may require.

Kind regards,  
[REDACTED]

*Office of the Director  
Division of Judicial Services*