

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 19 June 2024

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung
Judge Beti Hohler, Alternate Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

Public

**Redacted version of the “Victims and Witnesses Unit’s Observations on the
Ngaïssona Defence Consolidated Request for In-Court Protective Measures for
Witness D30-P-4608 (ICC-01/14-01/18-2395-Conf)”
(ICC-01/14-01/18-2529-Conf)**

Source: Registry

To be notified in accordance with regulation 31 of the *Regulations of the Court* to:**The Office of the Prosecutor**

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I. Introduction

1. The Victims and Witnesses Unit (“VWU” or “Unit”) submits the present Observations on the Ngaïssona Defence Consolidated Request for In-Court Protective Measures for Witness D30-P-4608, (“Request”)¹ pursuant to Trial Chamber V’s (“Chamber”) Order communicated by way of email, dated 4 June 2024 (“Order”).²

II. Classification

2. In accordance with regulation 23bis (2) of the Regulations of the Court, the present Observations are classified as confidential as they refer to the Request with the same classification.

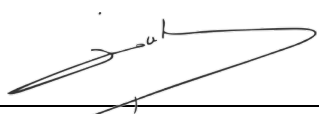
III. Observations

3. At the outset, the VWU notes that despite numerous attempts to contact Witness D30-P-4608 (“Witness”) in order to conduct the assessment before his arrival in the Netherlands on 17 June, the latter was not reachable. Therefore, the present report is submitted on the basis of the information currently available to the VWU.
4. The Witness is a 62-year-old male born in Bossangoa, Central African Republic (CAR). He is a CAR national and a Catholic priest. His mother tongue is French. [REDACTED].
5. It is believed that since 2018 the Witness has been [REDACTED].
6. The Witness reported to the Defence Team that he requested in-court protective measures (“ICPMs”) and declared that he is not willing to testify without them.
7. The Witness indicated that he believes that either during or post testimony [REDACTED].

¹ Defence, “Ngaïssona Defence Consolidated Request for In-Court Protective Measures for Witnesses D30-P-4914, D30-P-4197, D30-P-4504 and D30-P-4608” (ICC-01/14-01/18-2395-Conf) 6 March 2024.

² Email from Trial Chamber V Communications, 4 June 2024 at 10:39.

8. The Witness previously reported that [REDACTED], but managed to leave without further incident.
9. The need for ICPMs is justified by the fact that the Witness has a high public profile as a well-known priest [REDACTED] and he is therefore readily identifiable. Furthermore, those who were at the root of the crisis in 2013 or supporters of the Ex-Seleka, [REDACTED].
10. He also claims that he will be readily identifiable by the Muslim population [REDACTED].
11. The VWU takes note of the fact that the Witness has expressed concern as to the possible impact on his and his family's safety both during and post testimony given [REDACTED].
12. The VWU further notes that the alleged incident [REDACTED] is not corroborated by any other event and does not appear to be connected to his collaboration with the Court.
13. [REDACTED].
14. Considering the above and in the absence of any specific threats at this juncture, the VWU does not find any objectively justifiable reasons warranting the adoption of ICPMs.
15. Consequently, the VWU does not recommend any in-court protective measures.



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

Dated this 19 June 2024

At The Hague, the Netherlands