

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 August 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-4914 (ICC-01/14-01/18-2395-Conf)”
(ICC-01/14-01/18-2629-Conf)**

Source: Registry

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

Mr Karim A. A. Khan

Mr Mame Mandiaye Niang

Mr Kweku Vanderpuye

Counsel for Alfred Yekatom

Ms Mylène Dimitri

Mr Thomas Hannis

Ms Anta Guissé

Counsel for Patrice-Edouard Ngaïssona

Mr Geert-Jan Alexander Knoops

Mr Richard Landry Omissé-Namkeamaï

Ms Marie-Hélène Proulx

Legal Representatives of the Victims

Mr Dmytro Suprun

Mr Abdou Dangabo Moussa

Ms Elisabeth Rabesandratana

Mr Yaré Fall

Ms Marie-Edith Douzima-Lawson

Ms Paolina Massidda

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 Osvaldo Zavala Giler

Counsel Support Section**Victims and Witnesses Unit**

Mr Nigel Verrill

Detention Section**Victims Participation and Reparations
Section****Other**

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-4914, (“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.

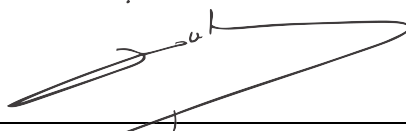
III. Observations

3. The witness is a 41 years old, Central African Republican (CAR) male, Christian Protestant, of Gbaya ethnicity. He lives in [REDACTED]. His wife and their children live in Bangui at PK10. [REDACTED].
4. The VWU interviewed the witness by phone on 27 June and in person on 14 August 2024 in order to assess the need for in-court protective measures (“ICPMs”). The process was explained to the witness, who declared having understood it.
5. The witness indicated that he has some security disquietude in connection to his testimony and thought that his security might be affected if he testifies publicly. [REDACTED], he takes precautions for his own security and is ready and willing to testify publicly in the event ICPMs are not granted.

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.

6. The VWU takes note that the witness expressed some concerns but did not provide any objective arguments and did not identify any security incident that would justify the implementation of ICPMs.
7. [REDACTED].
8. [REDACTED].
9. Considering the above and in the absence of any specific threats, the VWU does not find any objectively justifiable reasons warranting the adoption of ICPMs.
10. 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 21 August 2024

At The Hague, the Netherlands