

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-02/18**

Date: **2 February 2026**

PRE-TRIAL CHAMBER II

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF
*PROSECUTOR v. PATRICE-EDOUARD NGAISSONA***

Public

**Public Redacted version of “Provision of Information Concerning Anticipated
Witness Protection Considerations”, 30 October 2018,
ICC-01/14-20-US-Exp, 5 February 2019**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

[REDACTED]

[REDACTED]

[REDACTED]

Counsel for the Defence

[REDACTED]

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

States Representatives

Amicus Curiae

REGISTRY

Registrar

[REDACTED]

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. SUBMISSIONS

1. The Office of the Prosecutor ("Prosecution") hereby informs the Pre-Trial Chamber ("Chamber") that the [REDACTED] in the Central African Republic ("CAR") will likely necessitate extensive witness protection measures, should the Chamber [REDACTED]. The implementation of such measures, as required under article 68 of the Rome Statute ("Statute"), may affect the timing of Prosecution disclosure and the scheduling of subsequent confirmation proceedings against [REDACTED].

2. [REDACTED]. In light of the potential witness security concerns, and in order to promote efficient disclosure and confirmation proceedings, the Prosecution has restricted the cited witnesses to those necessary to demonstrate "reasonable grounds" to believe [REDACTED] committed crimes within the Court's jurisdiction. During any ensuing confirmation proceedings, the Prosecution will also likely rely on additional witnesses, commensurate with the "substantial grounds" evidentiary threshold set out in article 61 of the Statute.

3. [REDACTED].

4. The necessary assessments and the implementation of the required security measures cannot be achieved instantaneously. Typically they [REDACTED], and are contingent on:

- a. the number of witnesses involved, particularly "[REDACTED]" witnesses, who often face elevated security risks;
 - b. the degree of protection assessed as necessary;
 - c. the respective locations and access to the witnesses *in situ*;
 - d. [REDACTED];
 - e. the assessed suitability or sufficiency of in-country protective measures;
- and

f. [REDACTED].

5. The prevailing circumstances in CAR present several complicating challenges [REDACTED]. These include:

a. [REDACTED]

i. [REDACTED]

ii. [REDACTED].

b. [REDACTED]

i. [REDACTED];

ii. [REDACTED];

iii. [REDACTED] [REDACTED].

6. Should the Chamber grant the Application [REDACTED], the burdens on the Prosecution and VWU regarding the assessment and implementation of security measures will present significant challenges. In addition to the [REDACTED] requiring assessments and, potentially, protective measures, this work will be complicated by the need to address [REDACTED] *inter partes* and [REDACTED] security considerations before disclosing materials.

7. The Prosecution is and has been taking steps in advance to mitigate the impact of the [REDACTED] arising from the circumstances in CAR to ensure that post-arrest proceedings are as efficient as possible, should the Chamber grant the Application. However, the Prosecution considers it advisable to alert the Chamber to the likelihood that prospective disclosure in the case may have to be undertaken on a rolling basis, and that putting in place the appropriate article 68 safeguards for prospective witnesses [REDACTED] to proceed to confirmation proceedings [REDACTED].

II. CONFIDENTIALITY

8. This document is filed under seal and *ex parte*, pursuant to regulation 23*bis*(1) of the Regulations as it relates to the Application filed with the same status. The Prosecution will seek to unseal it as soon as practicable.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 2nd day of February 2026
At The Hague, The Netherlands