

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/18
Date: 20 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 THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-
EDOUARD NGAÏSSONA***

Public

Public Redacted Version of “Registry Observations pursuant to ICC-01/14-01/18-164-Conf-Exp”, ICC-01/14-01/18-173-Conf-Exp, filed on 12 April 2019

Source: Registry

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

☒ The Office of the Prosecutor

☒ Counsel for the Defence

D30

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☒ Legal Representatives of the Victims

V44

V45

☐ 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

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☒ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. The Registry submits its Observations pursuant to the “Order Seeking Observations from the Prosecutor and the Victims and Witnesses Unit (“Order”)¹ issued by Pre-Trial Chamber II (“Chamber”) ordering, *inter alia*, the Victims and Witnesses Unit (“VWU” or “Unit”) “to provide observations, as set forth in paragraphs 8 and 9 of the present decision respectively, by 12 April 2019 at the latest”.

II. Level of Classification

2. In accordance with regulation 23 *bis*(2) of the Regulations of the Court (“RoC”) the present Observations are classified as confidential, *ex parte*, only available to the Registry and the Office of the Prosecutor (“Prosecution”) because it refers to a Chamber’s Order with the same level of classification.

III. Observations

a) Introduction

3. In its Order, the Chamber ordered the VWU to submit written observations on the following:
 - a. “How many witnesses have been referred to the VWU for protection purposes at present? Has the VWU put all measures in place to protect these witnesses, if any, for the purposes of the confirmation of charges hearing? If not, how much time is required to put all required measures in place?”
 - b. “In case additional witnesses are referred to the VWU, how much time would be required to put the necessary measures in place to protect such witnesses for the purposes of the confirmation of charges hearing?”

b) Specific required observations on a)

¹ Pre-Trial Chamber II, Order Seeking Observations from the Prosecutor and the Victims and Witnesses Unit, 5 April 2019, ICC-01/14-01/18-164-Conf-Exp.

4. At present, the Prosecution has referred [REDACTED] witnesses in this case. According to the information provided, all witnesses will be relied upon during the confirmation of charges.
5. Out of the [REDACTED] referrals, [REDACTED]. [REDACTED]. The VWU is currently in the process of [REDACTED]. Pending [REDACTED] the witnesses are considered to be safe [REDACTED].
6. For the [REDACTED] remaining referrals, which were submitted respectively on [REDACTED], the introduction of the witnesses to the VWU by the calling party took place [REDACTED] and [REDACTED]. The last witness should be introduced [REDACTED]. The delay between the submission of the referrals and the introduction of the witnesses is due to [REDACTED].
7. In view of the [REDACTED], [REDACTED] is also required in order to complete the assessment process. This process that follows a referral consists in [REDACTED] which determine the need for long-term protective measures and the suitability and willingness of the witness and his/her family to benefit from them.
8. As previously reported,² the possibility to [REDACTED] is totally reliant upon [REDACTED]. According to previous experience the VWU expects that this administrative process will take between four to six weeks. In order to [REDACTED] the witnesses [REDACTED] require [REDACTED] which cannot be applied for unless [REDACTED]. Should such [REDACTED] be unavailable to the witness, two additional weeks are to be added to this timeline.
9. However, it should be noted that this process may be further slowed down [REDACTED]. [REDACTED].

² Registry's Observations pursuant to ICC-01/14-01/18-33, 21 December 2018, ICC-01/14- 01/18-38-Conf-Exp.

10. [REDACTED]. The effectiveness of this process has not been tested [REDACTED]. It is highly unlikely that the four to six week time scales will improve. It is possible that the process will be less efficient requiring further time.
11. For the [REDACTED] remaining referrals for which the assessments still need to be performed, [REDACTED] was already obtained. For the [REDACTED] remaining witnesses, [REDACTED] should be submitted in the middle of [REDACTED]. Until the VWU has [REDACTED] it is not possible to provide an accurate time scale, the matter is under permanent review.
12. Once a [REDACTED] it is, depending upon the local security situation, [REDACTED].

c) Specific required observations on b

13. According to the information provided by the Prosecution for the purpose of this submission, considering that the investigation is still ongoing, further referrals may be expected. However no more information was provided by the Prosecution in that regard.
14. Regarding the time that would be required to put the necessary measures in place to protect the newly referred witnesses the above considerations will apply.
15. The timing of the implementation of further protective measures for potential additional witnesses and their families is in any case dependent on the moment future referrals may be submitted.

d) Conclusion

16. As a conclusion, for the [REDACTED] witnesses already referred, [REDACTED] may be expected to take place between middle of [REDACTED]

and middle of [REDACTED]. As explained above, [REDACTED] and ensure that they are safe.

17. The VWU is conscious of the date of the confirmation of charges currently scheduled for 18 June 2019. It can already be reasonably expected that for the witnesses who haven't been referred yet, the VWU would not be in a position to complete its assessments and to implement relevant protective measures if assessed necessary before the confirmation of charges.



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

Dated this 20 February 2026
At The Hague, the Netherlands