

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/14-01/18
Date: 24 February 2026

TRIAL CHAMBER V

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

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 “Victims and Witnesses Unit’s Observations on the
“Prosecution’s Request pursuant to Regulation 35 to vary the Time Limit for
Disclosure of evidence related to trial witnesses listed on the Preliminary Witness
List””, ICC-01/14-01/18-635-Conf-Exp, filed on 28 August 2020**

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

D29

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☒ Legal Representatives of the Victims

V43

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☐ 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. Pursuant to Trial Chamber V's instructions ("Chamber")¹ ordering the Victims and Witnesses Unit ("VWU" or "Unit") to submit observations by 28 August 2020, the VWU hereby submits its observations on the "Prosecution's Request pursuant to Regulation 35 to vary the Time Limit for Disclosure of evidence related to trial witnesses listed on the Preliminary Witness" ("Request").²

II. Classification

2. In accordance with regulation 23 *bis*(1) of the Regulations of the Court ("RoC") the present observations are classified as confidential *ex parte* because they refer to a Request with the same classification and contain confidential information pertaining to witness security. A confidential redacted version of this request is being filed simultaneously.

III. Observations

A. Preliminary observations

3. The current situation arising from the COVID-19 pandemic impacts upon the Unit's operational capacity and affects its ability to perform its mandate as per its usual practice despite its best efforts to adapt its working methods. The ability of the Unit to protect witnesses is mainly impacted by the international travel restrictions which prevent the VWU from [REDACTED]. The imposed requirement of social-isolation also strongly discourages face-to-face contact [REDACTED].
4. [REDACTED].

B. Observations on witnesses CAR-OTP-P-2582 and CAR-OTP-P-2620

5. [REDACTED].

¹ Trial Chamber V, Email from Trial Chamber V Communications, 24 August 2020, at 12h32.

² Prosecutor, "Prosecution's Request pursuant to Regulation 35 to vary the Time Limit for Disclosure of evidence related to trial witnesses listed on the Preliminary Witness", 21 August 2020, ICC-01/14- 01/18-628-Conf-Exp.

6. The VWU notes that presently, neither witness is at any particular risk. The only risk likely to be posed to them will be at the time their identity and or associated evidence is disclosed. [REDACTED].
7. [REDACTED].
8. [REDACTED]. Contact with the VWU would also be minimal because of the impact of the pandemic. [REDACTED].
9. Due to the current pandemic, there is a credible risk posed to VWU staff managing the witnesses in order to progress with the necessary [REDACTED]. Any confirmed or suspected exposure to the virus will severely impact on the VWU's ability to manage other vulnerable individuals [REDACTED].
10. Due to the above mentioned reasons, the VWU is not currently in a position to [REDACTED] take the necessary measures to ensure the protection of the witnesses should the disclosure of their identities take place. As the VWU is fully dependant on the sanitary situation on the ground, the Unit is unfortunately not in a position at this time, to predict when the assessment and the extraction formalities could be completed or to provide any short term report.



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

Dated this 24 February 2026
At The Hague, the Netherlands