



Original: English

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

TRIAL CHAMBER V

Before: Judge Beti Hohler, Presiding Judge
Judge Joanna Korner
Judge Keebong Paek

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *PROSECUTOR v. ALFRED YEKATOM AND PATRICE-
EDOUARD NGAÏSSONA***

Public

**Public redacted version of «Prosecution's Observations on the '*Requête aux fins de
mesures de protection de témoin*, ICC-01/14-01/18-590-US'»,
ICC-01/14-01/18-607-Conf, 28 July 2020**

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]

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[REDACTED]

Legal Representatives of Victims

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Legal Representatives of Applicants

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

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States Representatives

Amicus Curiae

REGISTRY

Registrar

[REDACTED]

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

[REDACTED]

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) provides Trial Chamber V (“Chamber”) with its observations on the 17 July 2020 *“Requête aux fins de mesures de protection de témoin”*, filed by Duty Counsel for [REDACTED].¹

2. Preliminarily, the Prosecution notes that [REDACTED] is not a “participant in the case” within the meaning of regulation 24(1) of the Regulations of the Court (“RoC”). As such, it is unclear whether the Chamber’s leave is required to provide ‘observations’, as opposed to a ‘response’. Although it would appear that the Chamber has implicitly authorised the Parties’ and Participants’ ‘responses’ to the Request², the Prosecution requests the Chamber’s leave to submit and to consider its observations as elaborated below, in abundance of caution.

3. Substantively, the Prosecution does not oppose [REDACTED] Request for the implementation of protective measures in this case, and defers to the Chamber’s discretion. However, the Prosecution also notes that the Request contains certain inaccuracies which may bear on the Chamber’s considered determination, addressed briefly below.

II. CONFIDENTIALITY

4. This document is filed as *Under Seal* pursuant to regulation 23bis (2) of the RoC as it concerns a filing of the same designation. The Prosecution does not oppose its reclassification as Confidential, as the Chamber may deem appropriate.

¹ ICC -01/14-01/18-590-US (“Request”).

² See ICC -01/14-01/18-604-US, para. 6.

III. SUBMISSIONS

5. The Request asserts several bases for the implementation of protective measures, some of which do not comport with the Prosecution's understanding the relevant facts and circumstances.

A. The Stolen Laptop

6. *First*, contrary to the Request³, the Prosecution did not provide [REDACTED]. The Prosecution has verified this with both the former investigator and former Prosecution lawyer who conducted that interview.

7. *Second*, on [REDACTED], in relation to a prospective follow-up interview, [REDACTED]⁴ [REDACTED]. This is at least inconsistent with the Request, which suggests [REDACTED] the Central African Republic.⁵ Notably, [REDACTED], notwithstanding a prior meeting with Prosecution representatives in [REDACTED].

B. The Sequence Events

8. There appear to be certain inconsistencies in terms of the sequence of events set out in the Request regarding the purported threats received by [REDACTED]. Notably, these threats substantially relate to his involvement with the activities of the Anti-Balaka⁶, as opposed to the nature of the information provided in this case.⁷ While the Request suggests that certain of these threats are attributable potentially to

³ See ICC-01/14-01/18-590-US, paras. 12, 34.

⁴ See ICC-01/14-01/18-590-US, paras. 12, 34.

⁵ Cf ICC -01/14-01/18-590-US, para. 19 (noting that the laptop was stolen in 2017, two days before OROFEI's scheduled return to CAR from Italy).

⁶ ICC-01/14-01/18-590-US, para. 19.

⁷ ICC-01/14-01/18-590-US, paras. 35, 36.

information purportedly contained [REDACTED] of his involvement with the ICC, this is not entirely accurate as noted above.

9. The Prosecution further considers it important to clarify that, contrary to the suggestion in the Request, at no point was [REDACTED].⁸ Notably, he raised no concern about whether or to what extent he should or may [REDACTED], or disclose his involvement with the ICC to them, when he met with members of the Prosecution in [REDACTED].

10. Further still, [REDACTED] was furnished with emergency contact information pursuant to the [REDACTED], and was subsequently provided with the contact information of Prosecution investigators.

C. Information on Criminal Responsibility

11. In respect of the information provided by [REDACTED] concerning the potential criminal responsibility of other persons involved in the events which comprise the subject matter of this case, the Prosecution considers that the Request may be justified. As such, it defers to the Chamber's assessment of the propriety of the relief sought, to be determined in consultation with the Victims and Witnesses Section.

⁸ *Contra* ICC-01/14-01/18-590-US, para. 25.

IV. CONCLUSION

12. For the above reasons, the Prosecution (1) requests leave to submit these Observations; and (2) defers to the Chamber's considered assessment of the propriety and extent of the specific relief sought. The Prosecution remains at the Chamber's disposal to provide any further information which may be of assistance to the disposition of this matter.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 24th day of February 2026
At The Hague, The Netherlands