

**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 Second Report pursuant to the
“Decision on the Prosecution Request pursuant to Rule 81(4) for the Delayed
Disclosure of the Identity and Materials related to Witness P-0306” (ICC-01/14-
01/18-728-Conf-Exp)”, ICC-01/14-01/18-951-Conf-Exp, filed on 09 April 2021**

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

V44

☐ 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 Victims and Witnesses Unit (“VWU” or “Unit”) submits this report pursuant to Trial Chamber V’s (“Chamber”) directions communicated by way of email dated 23 March 2021 (“Directions”).¹
2. These Directions were given by the Single Judge following an email submitted by the VWU on 19 March 2021 to the Chamber and the Office of the Prosecutor,² and as well as to all parties and participants on 23 March 2021³ upon the Single Judge’s instructions.⁴ In these communications, the Unit stressed the fact that the VWU would be in a better position to submit a comprehensive report after 19th of March 2021 as additional time was requested by the authorities to provide supplementary information on a separate request addressed on 16 March 2021.
3. The 19 March 2021 communication was preceded by another one from the VWU⁵ which stated that pursuant to the “Decision on the Prosecution Request pursuant to Rule 81(4) for the Delayed Disclosure of the Identity and Materials related to Witness P-0306”,⁶ the Registry has contacted the relevant authorities to get the requested information. In this respect, it was noted that the answer given by the authorities did not provide sufficiently detailed information and that an additional delay would permit the provision of a more complete report.
4. Following this communication, the Single Judge noted that “the implementation of any protection measures for the witness whilst in detention [...] falls totally within th[e] responsibility [REDACTED] and [REDACTED]. In light of the foregoing, the Single Judge instructed the VWU “to (i) continue its efforts to liaise with both [REDACTED] officials to seek detailed information on

¹ Trial Chamber V Communications, email sent on 23 March 2021 at 16h11.

² VWU, email sent on 19 March 2021 at 11h46.

³ VWU, email sent on 23 March 2021 at 15h42.

⁴ Trial Chamber V Communications, emails sent on 22 and 23 March 2021 respectively at 8h39 and 12h15.

⁵ VWU’s email sent on 24 February 2021 at 16h31.

⁶ Prosecution, “Decision on the Prosecution Request pursuant to Rule 81(4) for the Delayed Disclosure of the Identity and Materials related to Witness P-0306 (ICC-01/14-01/18-728-Conf-Exp)”, 15 December 2020, ICC-01/14-01/18-773-Conf-Exp.

appropriate and available protective and security measures for the witness; and
(ii) submit, as soon as practicable, a comprehensive report pursuant to the Chamber's directions in the Decision" by 19 March 2021 or, should the VWU not be able to submit its report by the date, to provide the Chamber with an update on the progress made by this date.

II. Classification

5. In accordance with regulation 23 *bis*(1) of the Regulations of the Court ("RoC"), the present report is classified as confidential *ex parte* following a Decision with the same classification and as it contains confidential security information pertaining to a witness.

III. Scope of the requested information

6. In its Report dated 15 December 2020,⁷ the Registry indicated that upon the Chamber's instructions, it had requested the relevant authorities to provide information on appropriate and available protective measures that could be implemented. [REDACTED]. [REDACTED]. Lastly, the Registry acknowledging that the penitentiary authorities are best placed to assess the need of additional protection measures and the feasibility of their implementation, suggested that they communicate any additional measures they would consider appropriate.
7. [REDACTED].

IV. The information provided by the authorities

⁷ Registry "Victims and Witnesses Report pursuant to the "Decision on the Prosecution Request pursuant to Rule 81(4) for the Delayed Disclosure of the Identity and Materials related to Witness P-0306 (ICC-01/14-01/18-728-Conf-Exp)", 15 December 2020, ICC-01/14-01/18-773-Conf-Exp

8. On 18 January, one of the Focal Point [REDACTED]. [REDACTED]. [REDACTED].
9. No more details were provided at the time, therefore another contact was initiated to address the specific points [REDACTED].
10. On 16 of March 2021 following a further request, [REDACTED].
11. In relation to potential threats to the detainee's security, [REDACTED].
12. Concerning potential threats [REDACTED].
13. Regarding possible additional measures to protect the witness against attacks, [REDACTED]. [REDACTED]. [REDACTED].
14. In relation to a possible leak of information relating to the detainee engagement with the ICC, [REDACTED].
15. [REDACTED]. [REDACTED].
16. [REDACTED]. [REDACTED].
17. The authorisation to arrange the visit was provided on 18 March 2021. [REDACTED].

V. Conclusion

18. The VWU is of the view that no mitigation measure will completely remove the risk that the witness' involvement with the Court becomes known to threat actors. [REDACTED], the Unit still holds serious concerns for the witness' security should his testimony become known. In this respect, [REDACTED].
19. As already mentioned, the VWU may conduct an individual risk assessment prior to the detainee's testimony and advise the authorities accordingly regarding the threat actors. However the VWU, as any other Protection Programme, would not be in a position to provide any form of protection to a detained person and the responsibility of the security of the witness will remain exclusively with the national authorities.



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