

**Cour
Pénale
Internationale**

**International
Criminal
Court**



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No.: ICC-01/14-01/18
Date: 23 October 2020

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
NGAISSONA**

CONFIDENTIAL

Fifth Registry Update on Detention Centre COVID-19 Measures

Source: Registry

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

The Office of the Prosecutor

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Unrepresented Applicants

(Participation/Reparation)

Unrepresented Victims

**The Office of the Public Counsel for
Victims**

**The Office of the Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Mr Harry Tjonk

**Victims Participation and Reparations
Section**

I. Introduction

1. The Registry presents the following submissions, pursuant to regulation 24 *bis* of the Regulations of the Court ("RoC"), to update Trial Chamber V of the International Criminal Court ("Chamber" and "ICC", respectively) in the case of *The Prosecutor vs Alfred Yekatom and Patrice-Edouard Ngaissona* on the COVID-19 measures currently in place at the ICC Detention Centre ("Detention Centre" or "DC").

II. Classification

2. In accordance with regulation 23 *bis* (2) of the RoC, the present report is classified as confidential, as it refers to confidential detention matters that are currently not public.

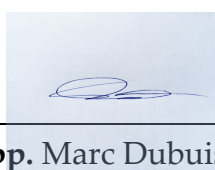
III. Submissions

3. As previously reported by the Registry,¹ since 19 March 2020, measures have been in place at the DC in order to protect the health, safety and lives of the detained persons during the ongoing COVID-19 pandemic, by minimizing contacts to detained persons and thus their risk of exposure to the virus.
4. The Registry informs the Chamber that on 14 October 2020, pursuant to regulation 96(2) of the RoC, the Presidency approved an extension of certain DC COVID-19 measures until 16 November 2020 (inclusive). This approval was given following a request from the Registrar, and upon the medical advice of the Medical Officer of the DC, according to regulation 155(2) of the Regulations of the Registry ("RoR"). The Registry informed the detained

¹ Registry, "Registry Update on COVID-19 Detention Centre Measures", 3 July 2020, ICC-01/14-01/18-578-Conf; Registry, "Registry Second Update on COVID-19 Detention Centre Measures", 17 July 2020, ICC-01/14-01/18-597-Conf; Registry, "Registry Third Update on Detention Centre COVID-19 Measures", 26 August 2020, ICC-01/14-01/18-632-Conf; Registry "Fourth Registry Update on Detention Centre COVID-19 Measures", 23 September 2020, ICC-01/14-01/18-665-Conf.

persons and their respective counsels of the extension on 15 October 2020.² These measures relate to the suspension of regulations 100 and 102 of the RoC, and regulations 153, 177, 178, 179, and 180 of the RoR.

5. In providing his advice, the Medical Officer acknowledged the dramatic increase of COVID-19 positive cases in the Netherlands, and most particularly, in The Hague, and consequently recommended exercising an abundance of caution in the measures taken within the Detention Centre. He emphasised that any in-person contact with the detained persons increases the risk of transmission and should be reconsidered.
6. For the measures currently in place at the DC, the medical advice remains unchanged from what was presented in the previous filings and it was recommended that the precautionary measures be maintained.
7. The Registry respectfully submits the above for the information of the Chamber. Any further extensions or changes in the measures will be so communicated to the Chamber.



pp. Marc Dubuisson
Director Division of Judicial Services
on behalf of Peter Lewis, Registrar

Dated this 23 October 2020

At The Hague, the Netherlands

² Email sent by the Administrative Assistant of the DC to All Counsels, 15 October 2020, at 14:32.