

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/14-01/18
Date: 21 December 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
NGAÏSSONA**

CONFIDENTIAL

with Confidential Annex

Seventh 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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Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**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") in the case of *The Prosecutor vs Alfred Yekatom and Patrice-Edouard Ngaïssona* 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

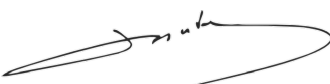
3. As previously reported by the Registry,¹ since 19 March 2020, measures have been in place at the DC in order to protect the health, safety, and lives of detained persons during the ongoing COVID-19 pandemic ("Pandemic"), by minimizing external contacts to detained persons and thus their risk of exposure to the virus.
4. The Registry hereby informs the Chamber that on 15 December 2020, pursuant to regulation 96(2) of the RoC, the Presidency approved an extension of the DC COVID-19 measures until 18 January 2021 (inclusive). 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 persons and their

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; Registry, "Addendum to 'Registry Fifth Update on Detention Centre COVID-19 Measures'", 29 October 2020, ICC-01/14-01/18-702-Conf; Registry, "Sixth Update on Detention Centre COVID-19 Measures", 25 November 2020, ICC-01/14-01/18-741-Conf.

respective counsels of the extension of the measures on 16 December 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.³ These measures include the temporary suspension of all in-person visits to detained persons, including legal visits and non-privileged visits, a restricted import regime, a temporary suspension of in-person spiritual visits and in-person recreational activities such as in-person language classes. Alternative measures such as privileged video conferencing for legal visits and spiritual visits, and video based language classes, have been put in place.

Medical Officer Advice for DC COVID-19 Measures

5. For the measures currently in place at the DC, the medical advice remains that what can be done remotely should be done remotely, with an emphasis on mitigating the risks of exposure of COVID-19 to detained persons.
6. 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.



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

Dated this 21 December 2020

At The Hague, the Netherlands

² Email from the Detention Section to all Defence Counsels, 16 December 2020, at 18:45.

³ Annex.