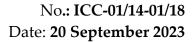
Cour Pénale Internationale

# International Criminal Court

Original: English



## 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 the 'Victims and Witnesses Unit's Observations on the «Requête des Représentants légaux communs des victimes aux fins d'octroi de mesures de protection pour l'audition de la victime a/65010/19» (ICC-01/14-01/18-2034-Conf)' (ICC- 01/14-01/18-2096-Conf)

Source: Registry

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

<b>The Office of the Prosecutor</b> Mr Karim A. A. Khan Mr Mame Mandiaye Niang Mr Kweku Vanderpuye	<b>Counsel for Alfred Yekatom</b> Ms Mylène Dimitri Mr Thomas Hannis Ms Anta Guissé
	<b>Counsel for Patrice-Edouard Ngaïssona</b> Mr Geert-Jan Alexander Knoops Mr Richard Landry Omissé-Namkeamaï Ms Marie-Hélène Proulx
<b>Legal Representatives of the Victims</b> Mr Dmytro Suprun Mr Abdou Dangabo Moussa Ms Elisabeth Rabesandratana Mr Yaré Fall Ms Marie-Edith Douzima-Lawson Ms Paolina Massidda	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	
<b>Registrar</b> Mr Osvaldo Giler Zavala	Counsel Support Section
<b>Victims and Witnesses Unit</b> Mr Nigel Verrill	Detention Section
Victims Participation and Reparations Section	Other

#### I. Introduction

1. The Victims and Witnesses Unit ("VWU" or "Unit") submits the present observations on the « Requête des Représentants légaux communs des victimes aux fins d'octroi de mesures de protection pour l'audition de la victime a/65010/19»<sup>1</sup> pursuant to Trial Chamber V's ("Chamber") Order communicated by way of email, dated 29 August 2023 ("Order")<sup>2</sup>. In this Order, the Chamber instructed the VWU to provide its assessments on in-court protective measures for witness V44-P-0001 by 14 September 2023 at the latest.

### II. Classification

2. In accordance with regulation 23*bis* (2) of the Regulations of the Court, the present Observations are classified confidential as they refer to a filing with the same classification.

### III. Observations

- 3. Witness CAR-V44-P0001 ("witness") is a CAR national, Muslim and of the Runga ethnicity. She was born [REDACTED] in CAR. Her mother tongue is Sango and she also speaks Arabic. [REDACTED] and currently unemployed. The witness is [REDACTED].
- 4. On 13 September 2023, the VWU interviewed the witness to assess the need for incourt protection measures. The process was explained and the witness declared that she understood the protective measures. During the interview the witness has not expressed any personal security concerns relating to her cooperation with the Court and has indicated that she has not faced any security incidents.
- 5. When questioned about any security issues the witness may have faced in the past or may face as a result of testifying in Court, she stated that in 2014 she moved from

<sup>&</sup>lt;sup>1</sup> Legal Representatives of Victims «Requête des Représentants légaux communs des victimes aux fins d'octroi de mesures de protection pour l'audition de la victime a/65010/19» (ICC-01/14-01/18-2034-Conf), 18 August 2023.

<sup>&</sup>lt;sup>2</sup> Email from Trial Chamber V Communications, 29 August 2023 at 11:17.

CAR [REDACTED]. However, since her move she has never been threatened or faced any security incident. [REDACTED].

- 6. Despite being aware of the level of criminality in [REDACTED], the witness indicated that has never been affected by this situation since her move in the area in 2014. She is further aware that her testimony may be public and she is ready and willing to testify in public.
- 7. The VWU notes that the witness has not faced any security incidents linked to her cooperation with the Court. She is ready and willing to testify in public and has no concerns for her security or safety post testimony. The witness nor her family have experienced any threats or security incidents [REDACTED] and not because of her interaction with the Court.
- 8. Based on the above, the VWU does not consider it necessary to recommend any incourt protection measures.

p.p.

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

Dated this 20 September 2023 At The Hague, the Netherlands