

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

No.: ICC-01/14-01/18  
Date: 18 January 2024

**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**

**Public**

**Redacted version of the "Victims and Witnesses Unit's Observations on the  
'Yekatom Defence Request for In-Court Protective Measures for Witness D29-P-  
5014' (ICC-01/14-01/18-2266-Conf)" (ICC-01/14-01/18-2293)**

**Source:** Registry

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

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**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

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

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

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**Victims and Witnesses Unit**

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**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 “Yekatom Defence Request for In-Court Protective Measures for Witness D29-P-5014” (“Request”)<sup>1</sup> pursuant to Trial Chamber V’s (“Chamber”) Order communicated by way of email, dated 21 December 2023 (“Order”).<sup>2</sup>

## **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 the Request which has the same classification.

## **III. Observations**

3. The witness is a 58-year-old woman born in Bangui, Central African Republic (“CAR”). She is a Central African national of Mbatı ethnicity and is a Muslim. Her mother tongue is Mbatı and she also speaks Haoussa, Sango, and French. The witness resides in PK5, with her family. [REDACTED].
4. On 5 January 2024, the VWU interviewed the witness to assess the need for in-court protection measures. The process was explained, the witness declared to have understood it and said that she needs protective measures during her testimony.
5. The witness stated during the interview that she was willing and ready to testify, but would feel more comfortable and without fear if she would be granted in-court protective measures (“ICPM”).
6. [REDACTED], may stigmatize or harm her as a result of her testimony. She added that her community cannot yet accept that people who harm them can benefit from testimony in their favour from a Muslim, and especially from a woman. The

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<sup>1</sup> Defence ““Yekatom Defence Request for In-Court Protective Measures for Witness D29-P-5014” (ICC-01/14-01/18-2266-Conf) 15 December 2023.

<sup>2</sup> Email from Trial Chamber V Communications, 21 December 2023 at 11:34.

witness is also concerned by the fact that she lives at KP5, travels a lot within the country, and is well known by her community.

7. [REDACTED].
8. The VWU notes that the witness did not report any security issues for herself or her family due to her cooperation with the Court, that [REDACTED] that there might be reprisals from the Muslim community if she testifies publicly.
9. The VWU considers that the fact [REDACTED] with the Court does not justify the granting of ICPMs.
10. However, the VWU considers that because of the witness's current professional activities in the provinces of CAR coupled with the risk of stigmatisation by her community, even in the absence of any physical threat, she might be identified as a witness and therefore potentially at risk.
11. [REDACTED].
12. In conclusion, the VWU recommends that the Chamber consider granting the witness in-court protective measures in the form of voice and face distortion, use of closed and/or private session for identifying information, use of a pseudonym and redaction of any identifying information from any records that may be disseminated to the public.



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

Dated this 18 January 2024

At The Hague, the Netherlands