

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/18
Date: 29 February 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 ROMBHOT YEKATOM & PATRICE-EDOUARD
NGAISSONA**

Public

**Redacted version of the “Registry’s submission regarding material obtained by
VWU in the course of the execution of its mandate” (ICC-01/14-01/18-2290-Conf)**

Source: Registry

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

The Office of the Prosecutor

Mr Karim A. A. Khan
Mr Mame Mandiaye Niang
Mr Kweku Vanderpuye

Counsel for Mr Yekatom

Ms Mylène Dimitri
Mr Thomas Hannis
Ms Anta Guissé
Ms Sarah Bafadhel
Mr Gyo Suzuki
Ms Sabine Bayssat

Counsel for Mr. Ngaïssona

Mr Geert-Jan Alexander Knoops
Mr Richard Omissé-Namkeamaï
Ms Marie-Hélène Proulx

Legal Representatives of the Victims

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

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry hereby submits the following observations pursuant to the Single Judge's instruction dated 21 December 2023, communicated by way of email ("Instruction").¹
2. The Instruction follow an *ex parte* communication sent by the Victims and Witnesses Unit ("VWU" or "Unit") to Trial Chamber V ("Chamber") on 15 December 2023,² seeking the Chamber's guidance ("Request for guidance").
3. In its Request for guidance, the VWU informed the Chamber that, within the scope of its activities related to the assessment of dual status witnesses [REDACTED].
4. [REDACTED] the Chamber instructed the VWU to share this information with the parties and participants, on the record, by 8 January 2024.

II. Classification

5. In accordance with regulation 23 bis(1) of the Regulations of the Court, the present submission is classified as confidential as it contains information related to witnesses and refer to a Request³ with the same classification level.

III. Submission

A. Preliminary remarks

6. In the course of its protection mandate, [REDACTED].
7. [REDACTED]. The VWU was also particularly cautious not to interfere in the legal matter brought before the Chamber by the Defence in its Request.
8. The present observations are submitted in compliance with the Chamber's Instruction.


¹ Email from Trial Chamber V Communications, 21 December 2023 at 17:09.

² Email to Trial Chamber V Communications, 15 December 2023 at 16:26.

³ Defence for Mr. Alfred Rombhot Yekatom, "Request for the Exclusion of Fabricated Evidence", (ICC-01/14-01/18-2240-Conf) 5 December 2023.

B. Findings

9. As part of its usual practice, the VWU conducted a threat and risk assessment
[REDACTED]
10. [REDACTED].
11. [REDACTED].
12. [REDACTED].
13. [REDACTED].
14. [REDACTED].
15. The VWU stands ready, upon order of the Chamber, to either keep the phones for a limited period of time or hand them over to a competent authority for forensic investigation.

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

Dated this 29 February 2024

At The Hague, the Netherlands