

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/21**

Date: **17 October 2022**

TRIAL CHAMBER VI

Before: Judge Miatta Maria Samba, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF *PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

Public

with Confidential Annexes A, B, C and D

Prosecution's Communication of the Disclosure of Evidence on 12 October 2022

Source: Office of the Prosecutor

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 KC
Mr Mame Mandiaye Niang
Ms Holo Makwaia

Counsel for Defence

Ms Jennifer Naouri
Mr Dov Jacobs

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparations

**The Office of Public Counsel
for Victims**

Ms Sarah Pellet
Mr Tars Van Litsenborgh

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation
and Reparations Section**

Other

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) submits this communication regarding the disclosure of evidence.

II. CONFIDENTIALITY

2. The Annexes, appended to this filing, are classified confidential as they relate to evidence disclosed *inter partes* that should not be released to the public.

III. SUBMISSIONS

3. On 12 October 2022, the Prosecution disclosed to the Defence of Mahamat Said Abdel Kani “Trial INCRIM package 090” containing 16 items, “Trial reclassification to INCRIM package 008” containing 2 items, “Trial Rule 77 package 060” containing 48 items and “Trial reclassification to Rule 77 package 003” containing 4 items.

4. The disclosure of “Pre-Trial INCRIM package 090” consists of the re-disclosure of lesser redacted versions of three statements, annexes and its corresponding translations related to P-3053, P-3056 and P-3064 pursuant to the Trial Chamber’s Decision on 10 October 2022¹ and two items re-disclosed with lesser redactions relevant to P-0338.

5. The disclosure of “Trial reclassification to INCRIM package 008” contains one translation and one transcript being reclassified as INCRIM and related to P-1339 as both form part of his in-court testimony in the *Yekatom and Ngaissona* case.

6. The disclosure of “Pre-Trial Rule 77 package 060” consists of items that are deemed material to the preparation of the Defence. It contains 10 audio/video items and associated materials relevant to P-1339, Call Data Reports and associated material of 5 trial witnesses P-1808, P-0966, P-2087, P-1263 and P-2263; one item relevant to P-

¹ ICC-01/14-01/21-497.

2105, one item shown to P-1167 during his interview; and three items relevant to P-3056's witness preparation.

7. The disclosure of "Trial reclassification to Rule 77 package 003" consists of 2 audio/video and associated material reclassified as Rule 77 and relevant to P-1339.

A handwritten signature in black ink, appearing to be 'K.A.K.', with a horizontal line underneath it.

Karim A. A. Khan KC, Prosecutor

Dated this 17th day of October 2022
At The Hague, The Netherlands