

Situation in Central African Republic II

The Prosecutor v. Mahamat Said Abdel Kani

ICC-01/14-01/21

Accused of war crimes and crimes against humanity allegedly committed in Bangui, Central African Republic (CAR) in 2013. Surrendered to the ICC on 24 January 2021. Initial appearance on 28 and 29 January 2021. Confirmation of charges hearing on 12-14 October 2021. Charges partially confirmed on 9 December 2021. Trial opened on 26 September 2022 and is ongoing.

Mahamat Said Abdel Kani



Date of birth: 25 February 1970

Place of birth: Bria, Central African Republic

Nationality: National of the Central African Republic

Arrest warrant: issued under seal on 7 January 2019 ; Public Redacted Version: 17 February 2021

Surrender to ICC Custody: 24 January 2021

Initial appearance: 28 and 29 January 2021

Confirmation of charges hearing: 12-14 October 2021

Confirmation of charges decision: 9 December 2021

Opening of the trial: 26 September 2022

CHARGES

Mahamat Said Abdel Kani, also known as "Mahamat Said Abdel Kain" and "Mahamat Saïd Abdelkani" is alleged to have been a senior member of the Seleka coalition and is suspected of crimes against humanity (imprisonment or other severe deprivation of physical liberty, torture, other inhumane acts and persecution) and war crimes (torture, cruel treatment and outrages upon personal dignity) committed at the Office Central de Répression du Banditisme (Central Office for the Repression of Banditry, the "OCRB") in Bangui (CAR) between 12 April 2013 and 30 August 2013.

Key judicial developments

REFERRAL AND OPENING OF THE INVESTIGATION

On 30 May 2014, the Prosecutor received a referral from the Central African authorities regarding crimes allegedly committed in CAR since 1 August 2012. On 24 September 2014, the Prosecutor opened a second investigation in CAR regarding crimes allegedly committed since 2012.

WARRANT OF ARREST

On 30 October 2018, the Prosecutor submitted under seal, *ex parte*, the application for the issuance of a warrant of arrest against Mahamat Said Abdel Kani. Pre-Trial Chamber II issued a warrant of arrest, under seal, against Mr Said on 7 January 2019. The [Public Redacted Version of the warrant of arrest](#) was published on 17 February 2021

SURRENDER TO THE ICC

On 24 January 2021, Mr Mahamat Said Abdel Kani was surrendered to the Court by the authorities of the Central African Republic.

INITIAL APPEARANCE

The first appearance of Mahamat Said Abdel Kani before the Court [took place](#) on 28 and 29 January 2021 before Pre-Trial Chamber II Single Judge Rosario Salvatore Aitala. The hearing was held in the presence of the Prosecutor and the Defence. Mr Said was represented by his Counsel Jean Pierre Madoukou and appeared via video-link from the ICC Detention Centre.

The Single Judge verified the identity of the suspect, and ensured that he was clearly informed of the crimes he is alleged to have committed and of his rights under the Rome Statute of the ICC in a language he fully understands and speaks, which is Sango for Mr Said. The judge also announced the next steps in the proceedings.

APPOINTMENT OF COUNSEL

On 26 February 2021, the Registry informed Pre-Trial Chamber II that Mr Mahamat Said Abdel Kani has [appointed](#) Ms Jennifer Naouri as Counsel to represent him in the proceedings before the Court.

CONFIRMATION OF CHARGES

The confirmation of charges hearing was held on 12-14 October 2021. On 9 December 2021, Pre-Trial Chamber II partially confirmed the charges brought by the Prosecution against Mr Said and committed him to a Trial Chamber for trial on the charges as confirmed.

The Chamber found that there is sufficient evidence to establish substantial grounds to believe that Mr Said was a senior member of the Seleka coalition and is criminally responsible, under articles 25(3)(a) (direct co-perpetration) and 25(3)(b) (ordering or inducing) of the Rome Statute, for crimes against humanity (imprisonment or other severe deprivation of physical liberty, torture, other inhumane acts and persecution) and war crimes (torture, cruel treatment and outrages upon personal dignity) committed at the Office Central de Répression du Banditisme in Bangui (CAR) between 12 April 2013 and 30 August 2013 against detained persons perceived as supporters of former President Bozizé.

The Chamber rejected the remainder of the charges brought against Mr Said in connection with crimes against humanity and war crimes allegedly committed at the Comité Extraordinaire pour la Défense des Acquis Démocratiques (Extraordinary Committee for the Defence of Democratic Achievements, the "CEDAD") in Bangui (CAR) between mid-September 2013 and 8 November 2013.

TRIAL

On 26 September 2022, the trial opened before Trial Chamber VI. The accused pleaded not-guilty to all the charges. The Prosecution, the Legal Representative of Victims, and the Defence made opening statements. The Prosecution then started its presentation of evidence.

On 18 January 2023, the Chamber concluded hearing the testimony of the Prosecution's sixteenth witness and adjourned the proceedings for medical reasons related to the health of the accused. On 15 December 2023, the Chamber issued its [Decision on Mr Said's Fitness to Stand Trial](#). The Chamber found that Mr Said was fit to stand trial. Trial hearings resumed on 29 January 2024 and the trial is ongoing.

PARTICIPATION OF VICTIMS

30 victims are participating in the trial, and other victims may be added during the trial if the judges authorize them. The victims are represented by their legal representative, Sarah Pellet.

Composition of Trial Chamber VI

[Judge Miatta Maria Samba](#) (President Judge)

[Judge Socorro Flores Liera](#)

[Judge Sergio Gerardo Ugalde Godínez](#)

Office of the Prosecutor

Karim A.A. Khan KC, Prosecutor

Mame Mandiaye Niang, Deputy Prosecutor

Holo Makwaia, Senior Trial Lawyer

Defence

Jennifer Naouri

Dov Jacobs

Legal Representative of the Victims

Sarah Pellet