

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 8 February 2024

TRIAL CHAMBER VI

Before: Judge Miatta Maria Samba, Presiding Judge
Judge María del Socorro Flores Liera
Judge Sergio Gerardo Ugalde Godínez

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

Confidential

**With Confidential *EX PARTE* Annexes I-XVII only available to the Office of the
Prosecutor and the Registry**

**Registry's Transmission of the Declarations made by Witnesses P-1523, P-0529, P-0882, P-1825, P-1277, P-1427, P-1432, P-1970, P-2042, P-2295, P-2087, P-0100, P-2239, P-0966, P-2386, P-2337, and P-1424 pursuant to Rule 68(2)(b) of the Rules of
Procedure and Evidence**

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 Ms Holo Makwaia	Counsel for the Defence Ms Jennifer Naouri Mr Dov Jacobs
Legal Representatives of the Victims Ms Sarah Pellet	Legal Representatives of the Applicants
Unrepresented Victims	Unrepresented Applicants (Participation/Reparation)
The Office of Public Counsel for Victims	The Office of Public Counsel for the Defence
States’ Representatives	Amicus Curiae

REGISTRY	
Registrar Mr Osvaldo Zavala Giler	Counsel Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other Mr Thomas Henquet (Registry Legal Office)

I - Introduction

1. Following Trial Chamber VI ("Chamber" or "Single Judge" as appropriate)'s "Decision on the Prosecution's First, Second and Fourth Requests Pursuant to Rule 68(2)(b) of the Rules" ("First Decision"),¹ the Chamber's "Decision on the Prosecution's Sixth Request Pursuant to Rule 68(2)(b) of the Rules" ("Second Decision"),² and the Chamber's "Decision on the Prosecution Requests pursuant to Rule 68(2)(b) to Introduce the Prior Recorded Testimony of P-0358, P-1180, P-2263 and P-2295" ("Third Decision"),³ the Registry hereby transmits documentation in relation to the prior recorded testimony of witnesses P-1523 ("Witness P-1523"), P-0529 ("Witness P-0529"), P-0882 ("Witness P-0882"), P-1825 ("Witness P-1825"), P-1277 ("Witness P-1277"), P-1427 ("Witness P-1427"), P-1432 ("Witness P-1432"), P-1970 ("Witness P-1970"), P-2042 ("Witness P-2042"), P-2295 ("Witness P-2295"), P-2087 ("Witness P-2087"), P-0100 ("Witness P-0100"), P-2239 ("Witness P-2239"), P-0966 ("Witness P-0966"), P-2386 ("Witness P-2386"), P-2337 ("Witness P-2337"), and P-1424 ("Witness P-1424") provided to the Office of the Prosecutor ("Prosecution").

2. This transmission is made in accordance with rule 68(2)(b) of the Rules of Procedure and Evidence ("Rules") and the First, Second and Third Decisions.

II - Classification

3. Pursuant to regulation 23 *bis*(1) of the Regulations of the Court, the present submission is classified as "confidential" because it refers to details of internal procedures between Registry officials and witnesses that are usually kept confidential. The annexes to the present submission are classified as confidential *ex parte* only available to the Prosecution and the Registry because they contain the

¹ Trial Chamber VI, "Decision on the Prosecution's First, Second and Fourth Requests Pursuant to Rule 68(2)(b) of the Rules" ("First Decision"), 22 October 2022, ICC-0114-0121-507-Conf.

² Trial Chamber VI, "Decision on the Prosecution's Sixth Request Pursuant to Rule 68(2)(b) of the Rules" ("Second Decision"), 21 November 2022, ICC-01/14-01/21-555-Conf.

³ Trial Chamber VI, "Decision on the Prosecution Requests pursuant to Rule 68(2)(b) to Introduce the Prior Recorded Testimony of P-0358, P-1180, P-2263 and P-2295" ("Third Decision"), 21 November 2022, ICC-0114-0121-556.

identifying information of Witnesses P-1523, P-0529, P-0882, P-1825, P-1277, P-1427, P-1432, P-1970, P-2042, P-2295, P-2087, P-0100, P-2239, P-0966, P-2386, P-2337, and P-1424. The Prosecution indicated on 20 November 2023 that it will review said annexes in order to possibly seek redactions thereto.⁴

III - Submission

4. Pursuant to rule 68(2)(b)(iii) of the Rules, the Chief of the Registry Legal Office ("RLO") delegated his authority to several Registry Officials (designated for each witness as "Witnessing Officer ") to witness the declarations relating to Witnesses P-1523, P-0529, P-0882, P-1825, P-1277, P-1427, P-1432, P-1970, P-2042, P-2295, P-2087, P-0100, P-2239, P-0966, P-2386, P-2337, and P-1424.

5. On 15 March 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1523.

6. On 20 March 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-0529 remotely through appropriate video technology.

7. On 23 March 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-0882 remotely through appropriate video technology.

8. On 30 March 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1825 remotely through appropriate video technology.

9. On 3 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1277 remotely through appropriate video technology.

⁴ E-mail from Prosecution to Registry Legal Office, 7 February 2024 at 18:51.

10. On 17 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1427 remotely through appropriate video technology.

11. On 17 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1432 remotely through appropriate video technology.

12. On 20 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1970 remotely through appropriate video technology.

13. On 24 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2042 remotely through appropriate video technology.

14. On 24 April 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2295 remotely through appropriate video technology.

15. On 5 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2087 remotely through appropriate video technology.

16. On 8 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-0100 remotely through appropriate video technology.

17. On 8 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2239 remotely through appropriate video technology.

18. On 12 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-0966 remotely through appropriate video technology.

19. On 16 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2386 remotely through appropriate video technology.

20. On 19 May 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-2337 remotely through appropriate video technology.

21. On 16 June 2023, the Witnessing Officer conducted the certification of the prior recorded testimony pertaining to Witness P-1424 remotely through appropriate video technology.

22. As stated above, on 7 February 2024, the Prosecution informed the RLO that it will review the annexes in order to possibly propose redactions.⁵ Consequently, should the Chamber authorise the redactions sought by the Prosecution, RLO will be in a position to file a redacted version of the appended documents.

23. Accordingly, the Registry transmits the following documents:

Annex I: Declaration of Witness P-1523; and
Attestation of the Witnessing Officer with respect to Witness P-1523.

Annex II: Declaration of Witness P-0529; and
Attestation of the Witnessing Officer with respect to Witness P-0529.

Annex III: Declaration of Witness P-0882; and
Attestation of the Witnessing Officer with respect to Witness P-0882.

⁵ E-mail from the Prosecution to the Registry Legal Office on 7 February 2024 at 18.51.

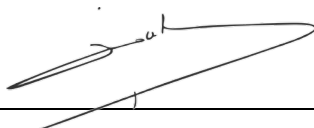
- Annex IV: Declaration of Witness P-1825; and
Attestation of the Witnessing Officer with respect to Witness P-1825.
- Annex V: Declaration of Witness P-1277; and
Attestation of the Witnessing Officer with respect to Witness P-1277.
- Annex VI: Declaration of Witness P-1427; and
Attestation of the Witnessing Officer with respect to Witness P-1427.
- Annex VII: Declaration of Witness P-1432; and
Attestation of the Witnessing Officer with respect to Witness P-1432.
- Annex VIII: Declaration of Witness P-1970; and
Attestation of the Witnessing Officer with respect to Witness P-1970.
- Annex IX: Declaration of Witness P-2042; and
Attestation of the Witnessing Officer with respect to Witness P-2042.
- Annex X: Declaration of Witness P-2295; and
Attestation of the Witnessing Officer with respect to Witness P-2295.
- Annex XI: Declaration of Witness P-2087; and
Attestation of the Witnessing Officer with respect to Witness P-2087.
- Annex XII: Declaration of Witness P-0100; and
Attestation of the Witnessing Officer with respect to Witness P-0100.
- Annex XIII: Declaration of Witness P-2239; and
Attestation of the Witnessing Officer with respect to Witness P-2239.

Annex XIV: Declaration of Witness P-0966; and
Attestation of the Witnessing Officer with respect to Witness P-0966.

Annex XV: Declaration of Witness P-2386; and
Attestation of the Witnessing Officer with respect to Witness P-2386.

Annex XVI: Declaration of Witness P-2337; and
Attestation of the Witnessing Officer with respect to Witness P-2337.

Annex XVII: Declaration of Witness P-1424; and
Attestation of the Witnessing Officer with respect to Witness P-1424.



Marc Dubuisson, Director Division of Judicial Services

on behalf of

Osvaldo Zavala Giler, Registrar

Dated this 8 February 2024

The Hague, the Netherlands