

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **18 March 2022**

**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 *PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

**Public**

**Prosecution's Response to Defence's Request Seeking Updated Information on  
Victims Participation (ICC-01/14-01/21-255)**

**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 QC  
Mr Mame Mandiaye Niang  
Mr Eric MacDonald

**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  
Ms Caroline Walter

**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”) agrees with the Defence that all individual applications of victims to participate in the proceedings should be disclosed to the Parties with the necessary redactions.

## II. SUBMISSIONS

2. On 11 March 2022, the Defence of Mahamat Said Abdel Kani (“Mr SAID”) filed a request to have access to the individual applications of the victims that seek to participate in the proceedings.<sup>1</sup> The Defence argues that, in the current circumstances of the case, the A-B-C list system adopted at the pre-confirmation stage of the proceedings should be reviewed in light of the limited number of victims likely to apply to participate in the trial proceedings.<sup>2</sup> The Defence further submits that the applications should be provided to the Parties with redactions as authorised by what is essentially the Protocol on Redactions as adopted in this case.<sup>3</sup>

3. The Prosecution agrees with the Defence. The charges confirmed against Mr SAID relate to specific incidents that took place at the OCRB in 2013. The anticipated number of applications to be treated will be more limited than in other cases before the Court. The immediate treatment and disclosure of these applications would also expedite the proceedings.

4. Additionally, the vast majority of the potential applicants are likely to have provided statements to the Prosecution which have already been disclosed to the Defence. Therefore, applications from victims that have provided a statement to the Prosecution should have the same level of redactions as the statements and as

---

<sup>1</sup> ICC-01/14-01/21-255.

<sup>2</sup> ICC-01/14-01/21-255, paras. 39-47.

<sup>3</sup> ICC-01/14-01/21-255, paras. 48, 52, and 54 to 56. See Protocol on Redactions at ICC-01/14-01/21-50-Conf, para 34 adopting the *Yekatom* and *Ngaiissona* Protocol (ICC-01/04-01/18-64-Red).

authorised by the Protocol on Redactions. For any victim that would not have provided a statement to the Prosecution, the same practice should be followed. Their applications should be provided to the Parties with redactions as authorised under the Protocol.

### III. CONCLUSION

5. For the reasons set out above, the individual applications of victims to participate in the proceedings should be provided to the Parties with redactions as authorised pursuant to the Protocol on Redactions and consistent with any redactions applied to the statement of such victims as disclosed by the Prosecution to the Defence.

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line and a period.

---

**Karim A. A. Khan QC, Prosecutor**

Dated this 18<sup>th</sup> day of March 2022

At The Hague, The Netherland