

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

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

**Date: 27 July 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  
*THE PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

**Public**

**Decision on Defence Request for Suspension of Certain Deadlines During the  
Recess**

**Decision 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

**Counsel for the Defence**

Ms Jennifer Naouri  
Mr Dov Jacobs

**Legal Representatives of Victims**

Ms Sarah Pellet

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
for Participation/Reparations**

**The Office of Public Counsel  
for Victims**

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

**Other**

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**TRIAL CHAMBER VI** of the International Criminal Court, in the case of *The Prosecutor v. Mahamat Said Abdel Kani*, having regard to regulations 19bis(2) and 35 of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on Defence Request for Suspension of Certain Deadlines During the Recess’.

## **I. PROCEDURAL HISTORY**

1. On 21 July 2022, the Defence requested that the deadlines for any responses to requests filed just before or during the recess should not start to run until one week after the end of the summer recess, that is 15 August 2022 (the ‘Request’).<sup>1</sup>
2. On 22 July 2022, the Common Legal Representative of Victims informed the Chamber that she did not intend to respond to the Request.<sup>2</sup>
3. On 25 July 2022, the Office of the Prosecutor (the ‘Prosecution’) informed the Chamber that it did not intend to respond to the Request.<sup>3</sup>

## **II. ANALYSIS**

4. Regulation 19bis(2) of the Regulations provides that, ‘[u]nless otherwise determined by a Chamber, during the judicial recess hearings shall be limited to urgent issues and time limits shall not be suspended’. Regulation 35 of the Regulations provides that ‘[t]he Chamber may extend or reduce a deadline if good cause is shown [...]’.

5. The Defence highlights its busy schedule and continuous workload in the lead up to the commencement of trial and submits that it could organise its work optimally during the recess if deadlines for responses to filings were suspended during this time.<sup>4</sup> The Defence identifies only one potential filing to which it may have been expected to respond during the recess, namely any motion relating to the trial proceedings under

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<sup>1</sup> Demande de la Défense déposée en vertu de l’Article 64(2) du Statut et des Normes 19bis(2) et 35 du Règlement de la Cour, 21 July 2022, [ICC-01/14-01/21-423](#).

<sup>2</sup> Email received from the Common Legal Representative at 15:42 on 22 July 2022.

<sup>3</sup> Email received from the Prosecution at 9:56 on 25 July 2022.

<sup>4</sup> [Request](#), paras 17-18, 24-31.

rule 134 of the Rules, which were due to be filed the day after the Request was submitted.<sup>5</sup>

6. The Chamber notes that, as it transpired, the only filing pertaining to rule 134 of the Rules emanated from the Defence, so no response is required from it in relation to this issue. Given the proximity of the commencement of the trial and the need to ensure that preparations continue without interruption or delay at this stage of the proceedings, the Chamber does not consider it appropriate to suspend, in the abstract, the deadline for any responses that may be required during this time.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**REJECTS** the Request.



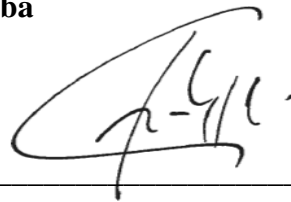

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**Judge Miatta Maria Samba**  
**Presiding Judge**




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**Judge María del Socorro Flores Liera**




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**Judge Sergio Gerardo Ugalde Godínez**

Done in both English and French, the English version being authoritative.

Dated 27 July 2022

At The Hague, The Netherlands

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<sup>5</sup> [Request](#), para. 32. In accordance with the Decision Setting the Commencement Date of the Trial and Related Deadlines, such motions were to be filed by 22 July 2022, which means that responses would be required during the recess (by 4 August 2022) (Decision Setting the Commencement Date of the Trial and Related Deadlines, 21 February 2022, [ICC-01/14-01/21-243](#), para. 30).