

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/21**
Date: **14 December 2021**

THE PRESIDENCY

Before: Judge Piotr Hofmański, President
Judge Luz del Carmen Ibáñez Carranza, First Vice-President
Judge Antoine Kesia-Mbe Mindua, Second Vice-President

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

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

Public

**Decision constituting Trial Chamber VI and referring to it the case of
*The Prosecutor v. Mahamat Said Abdel Kani***

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 James Stewart
Mr Eric MacDonald

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 Peter Lewis

Counsel Support Section

Detention Section

Victims and Witnesses Unit

**Victims Participation and Reparations
Section**

Other
Trial Chamber VI

THE PRESIDENCY of the International Criminal Court (the ‘Court’);

NOTING article 61(11) of the Statute, pursuant to which the Presidency shall constitute a Trial Chamber once the charges have been confirmed, which shall be responsible for the conduct of subsequent proceedings, and Rule 130 of the Rules of Procedure and Evidence (the ‘Rules’) whereby the Presidency shall refer the case to a Trial Chamber and transmit to it the Decision Confirming the Charges and the record of the proceedings of the Pre-Trial Chamber;

NOTING the decision of Pre-Trial Chamber II dated 9 December 2021 which confirmed, pursuant to article 61(7)(a) of the Statute, charges presented by the Prosecutor against Mr Mahmat Said Abdel Kani in the case *The Prosecutor v. Mahamat Said Abdel Kani*, to the extent specified at pages 50 to 61 of that decision, and committed him to a Trial Chamber for trial on the charges as confirmed (the ‘Decision Confirming the Charges’);¹

NOTING that the Decision Confirming the Charges ordered that the record of the proceedings be transmitted to the Presidency;²

NOTING that the record of the proceedings before Pre-Trial Chamber II and the Decision Confirming the Charges were transmitted to the Presidency by the Registrar on 10 December 2021, in accordance with rule 129 of the Rules;³

NOTING the Presidency’s previous decision assigning judges to divisions and recomposing Chambers, in which it, *inter alia*, dissolved Trial Chamber VI;⁴

NOTING further that when composing chambers, the Presidency must balance a number of factors to the extent necessary and possible, and that the guiding principles informing these factors are the applicable statutory framework and the need to ensure the efficient management of the Court’s workload, including in view of the Court’s long-term needs;

¹ Pre-Trial Chamber II, *The Prosecutor v. Mahamat Said Abdel Kani*, Public redacted version of Decision on the confirmation of charges against Mahamat Said Abdel Kani, 9 December 2021, ICC-01/14-01/21-218-Red, pp. 50-61.

² *Ibid.*, p. 62, para. 155.

³ Registrar, *The Prosecutor v. Mahamat Said Abdel Kani*, Transmission to the Presidency of the record of the proceedings, including the Decision on the confirmation of charges against Mahamat Said Abdel Kani, ICC-01/14-01/21-218-Conf, dated 9 December 2021, 10 December 2021, ICC-01/14-01/21-219-Conf.

⁴ Presidency, *The Prosecutor v. Mahamat Said Abdel Kani*, Decision assigning judges to divisions and recomposing Chambers, 16 March 2021, ICC-01/14-01/21-40, p. 7.

CONSIDERING the current and anticipated overall judicial workload of the Court and the necessity to ensure sound management of the same, the need to expedite proceedings, the workload and individual concerns of the respective judges, their previous involvement in cases, as well as the experience and expertise of each judge;

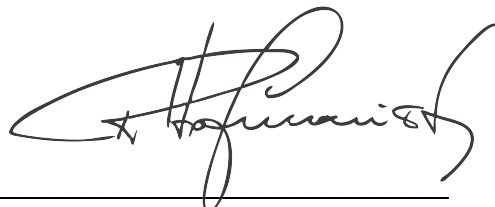
HEREBY CONSTITUTES Trial Chamber VI as follows:

Judge María del Socorro Flores Liera;
 Judge Sergio Gerardo Ugalde Gordínez; and
 Judge Miatta Maria Samba.

DECIDES to refer the case of *The Prosecutor v. Mahamat Said Abdel Kani* to Trial Chamber VI;

ORDERS the Registrar, pursuant to rule 130 of the Rules, to transmit the full record of the proceedings in the above mentioned case to Trial Chamber VI, including the Decision Confirming the Charges, and to notify the present decision to the relevant parties and participants in the case.

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



Judge Piotr Hofmański
President



Judge Luz del Carmen Ibáñez Carranza
First Vice-President



Judge Antoine Kesia-Mbe Mindua
Second Vice-President

Dated this 14 December 2021

At The Hague, The Netherlands