

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 29 July 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***

Public

With Confidential and Public Redacted Annex 1

**Registry's Report on Evidence Recognised as Formally Submitted by the Chamber
for Witness CAR-OTP-P-0338**

Source: Registry

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

Ms Holo Makwaia

Counsel for the Defence

Ms Jennifer Naouri

Mr Dov Jacobs

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Sarah Pellet

**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

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Registry hereby submits the present report (“Report”) and its two annexes consisting of a confidential version of items recognised as evidence formally submitted and its public redacted version, pursuant to the “Directions on the Conduct of Proceedings” (“Directions”),¹ issued on 9 March 2022 by Trial Chamber VI (“Chamber”).

II. Procedural History

2. On 9 March 2022, the Chamber issued its Directions on the Conduct of Proceedings in which it instructed the Registry to: “[...] reflect all formally submitted items in the eCourt metadata [...]”, and to “[...] submit reports for each witness who testifies, indicating which items have been formally submitted by the parties and participants in relation to that witness. The email exchanges [...] are to be annexed to this filing, applying redactions as appropriate.”²
3. On 7 October 2022, the Office of the Prosecutor (“Prosecution”) called its second witness, witness CAR-OTP-P-0338 (“P-0338”). After the conclusion of the examination of witness P-0338, the parties formally submitted items used during the hearings of the aforementioned witness, as instructed by the Chamber in the Directions.
4. On 15 November 2022, the Chamber, via email, issued its decision on items of evidence recognised as being formally submitted for P-0338.³
5. Pursuant to the Directions, the Registry applied redactions as appropriate to the emails enclosed in Annex 1 to the present filing⁴.

¹ Trial Chamber VI, Directions on the Conduct of Proceedings, ICC-01/14-01/21-251, 9 March 2022.

² *Ibid.* para 22(iv).

³ Trial Chamber VI, Decision on Submitted Materials for P-0338, email sent by the Chamber’s Legal Officer to the parties, participants and to the Registry, 15 November 2022 at 10.00.

III. Applicable law

6. For the purpose of the present submission, the Registry has considered, *inter alia*, articles 64(7), 64(10), and 67(1) of the Rome Statute, rule 137 of the Rules of Procedure and Evidence, regulations 21(8) of the Regulations of the Court, and regulations 21(2), 40(4)(h), 43 and 50(c) of the Regulations of the Registry.

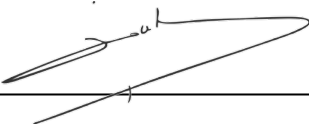
IV. Submission

7. The Registry hereby attaches confidential Annex 1 containing the list of items considered as formally submitted by the Chamber:
 - **Annex 1:** “Decision on Submitted Materials for P-0338” dated 15 November 2022 at 10:00 together with the relevant email submissions of the parties.
8. In order to enable the parties and participants to suggest specific additional redactions to Annex 1, the Registry liaised by email with the Prosecution, the Defence and the Legal Representatives of the Victims.⁵

⁴ Trial Chamber VI, Directions, para. 22 (iv).

⁵ Email sent by the Associate Legal Officer/Courtroom Officer, on 25 January 2023 at 13.43 attaching Annex 1. Pursuant to the Chamber’s “Decision on the Soumissions conjointes de la Défense et de l’Accusation concernant la position des Parties quant aux expurgations à apposer aux Annexes du Registry’s Report on Items Recognised as Formally Submitted by the Chamber”, ICC-01/14-01/21-622-Conf, 21 July 2023, the Prosecution provided the finalized Annex 1, including the authorized further redactions, to the Registry by email on 17 August 2023 at 14.32.

9. Accordingly, the Registry applied redactions to the emails set forth in the following public redacted version of Annex 1.



Marc Dubuisson
Director, Division of Judicial Services
On behalf of Osvaldo Zavala Giler, Registrar

Dated this 29 July 2024

At The Hague, The Netherlands