

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 9 April 2025

TRIAL CHAMBER VI

Before:

**Judge Miatta Maria Samba, Presiding Judge
Judge María del Socorro Flores Liera
Judge Sergio Gerardo Ugalde Godínez
Judge Keebong Paek, Alternate Judge**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II
IN THE CASE OF
*THE PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

Public

Sixth Decision on Victims' Participation

Decision to be notified in accordance with regulation 31 of the Regulations of the Court to:

☒ The Office of the Prosecutor

☒ Counsel for the Defence

☒ Legal Representatives of the Victims

☒ 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

TRIAL CHAMBER VI of the International Criminal Court, in the case of *The Prosecutor v. Mahamat Said Abdel Kani*, having regard to articles 64(2), 67(1) and 68(1) of the Rome Statute (the ‘Statute’), issues this ‘Sixth Decision on Victims’ Participation’.

I. PROCEDURAL HISTORY

1. On 13 April 2022, Trial Chamber VI (the ‘Chamber’) issued its ‘Decision on matters relating to the participation of victims during the trial’ (the ‘First Decision’),¹ whereby it instructed the Registry to classify the victims’ applications for participation into three categories:

- a. Group A: applicants who clearly qualify as victims in this case;
- b. Group B: applicants who clearly do not qualify as victims in this case; and
- c. Group C: applicants for whom the Registry could not make a clear determination for any reason.²

2. The First Decision also decided that there was no need for the parties to systematically receive copies of all Group C applications and that, barring clear material errors in the Registry’s assessment, the Chamber would not authorise applicants categorised as Group B to participate in the proceedings.³

3. On 6 September 2022, the Chamber issued its ‘Decision on the Scope of the Charges’,⁴ clarifying ‘that the scope of the charged crimes in the present case is limited to the specific criminal acts listed by the Pre-Trial Chamber in paragraph 29 of the operative part of the Confirmation of Charges Decision’.⁵

4. Between 8 November 2023 and 13 December 2024, the Chamber authorized the participation of 32 victims in the trial proceedings⁶ and denied authorization to five

¹ Decision on matters relating to the participation of victims during the trial, 13 April 2022, [ICC-01/14-01/21-278](#), paras 16-18.

² First Decision, [ICC-01/14-01/21-278](#), paras 10-18.

³ First Decision, [ICC-01/14-01/21-278](#), paras 17-18.

⁴ Decision on the Scope of the Charges, 6 September 2022, [ICC-01/14-01/21-472](#), para. 25.

⁵ 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](#).

⁶ Second Decision Authorising Victims to Participate in the Proceedings, 8 November 2023, ICC-01/14-01/21-640-Conf (a public redacted version of the decision was filed on the same day (ICC-01/14-01/21-

applicants.⁷ In addition, it allowed victims who had submitted incomplete applications before the end of the Prosecution case to complete them by 14 March 2025.⁸

5. On 21 March 2025, the Registry submitted its eighth assessment report (the ‘Eighth Report’) on 25 complete applications to participate in the Case (‘Applications’).⁹ The Registry assessed them to fall under Group B.¹⁰

6. None of the parties or participants made submissions in relation to the Eighth Report.

II. ANALYSIS

7. According to the Eighth Report, the Registry has assessed the Applications as complete and concluded that these applicants clearly do not qualify as victims in the Case since:

- i. Their alleged harm resulted from events falling outside the parameters of the Case; and/or
- ii. There are doubts about the reliability of the information they provided.¹¹

8. The Chamber has reviewed the Applications and has considered the specific reasons for their dismissal articulated by the Registry.

9. First, in terms of applicants whose alleged harm falls outside of the parameters of the Case, the Chamber confirms the Registry’s assessment.

10. Second, turning to Applications which the Registry recommends rejecting on the ground of unreliability, the Chamber agrees that the drastic and unsatisfactorily

640-Red); Fourth Decision Authorising Victims to Participate in Proceedings, 22 July 2024, [ICC-01/14-01/21-812](#); Fifth Decision Authorising Victims to Participate in the Proceedings, 13 December 2024, [ICC-01/14-01/21-906](#) (‘Fifth Decision’).

⁷ Third Decision Authorising Victims to Participate in the Proceedings, 14 February 2024, 01/14-01/21-695-Conf. A public redacted version of the decision was filed on the same day ([ICC-01/14-01/21-695-Red](#)).

⁸ Fifth Decision, [ICC-01/14-01/21-906](#), para. 16.

⁹ Eighth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings, 21 March 2025, [ICC-01/14-01/21-947](#).

¹⁰ Eighth Report, [ICC-01/14-01/21-947](#), para. 4.

¹¹ Eighth Report, [ICC-01/14-01/21-947](#), para. 15.

explained changes in the applicants' factual allegations cast considerable doubt on the truthfulness of the information contained in the Applications. Moreover, the Chamber notes that the Eighth Report states that these same applicants also filed participation requests in another case before the Court, which gave rise to additional concerns about their truthfulness. Although the Chamber is not in possession of these application forms, it has no reason to question the Registry's assessment in this regard. The Chamber therefore confirms the Registry's recommendation to reject these Applications.

FOR THESE REASONS, THE CHAMBER HEREBY

DENIES AUTHORISATION to participate in these proceedings to applicants

a/30007/24	a/30063/24	a/30070/24	a/30077/24
a/30015/24	a/30064/24	a/30071/24	a/30080/24
a/30018/24	a/30065/24	a/30072/24	a/30081/24
a/30020/24	a/30066/24	a/30073/24	a/30082/24
a/30025/24	a/30067/24	a/30074/24	
a/30061/24	a/30068/24	a/30075/24	
a/30062/24	a/30069/24	a/30076/24	

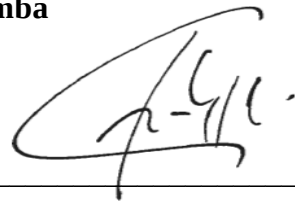


Judge Miatta Maria Samba

Presiding Judge



Judge María del Socorro Flores Liera



Judge Sergio Gerardo Ugalde Godínez

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

Dated 9 April 2025

At The Hague, The Netherlands