



Original: English

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

Date: 19 August 2026

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Single Judge

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

Public

with Confidential, *EX PARTE*, only available to the Prosecution Annex A

**Public redacted version of “Corrected Version of “Confidential Redacted Version of
“Prosecution’s Second Request for the Extension of Contact Restrictions” dated 26
April 2021”, dated 26 April 2021, ICC-01/14-01/21-61-Conf-Red”, ICC-01/14-01/21-61-
Conf-Red-Corr , dated 28 April 2021**

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

☒ 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 Zavala Giler Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) requests the Single Judge to extend the contact restrictions currently imposed on Mahamat Said Abdel Kani (“SAID”)¹ for an additional two months under the same conditions (“Request”). The circumstances justifying the contact restrictions continue to subsist as of the date of this Request.

II. CONFIDENTIALITY

2. The Request and Annex A are filed confidential *EX PARTE* pursuant to regulation 23*bis*(1) of the Regulations of the Court (“Regulations”), as they relate to decisions and filings of the same designation and contain information which relates to witness protection and ongoing investigations. A confidential redacted version of the Request is filed concurrently.

III. SUBMISSIONS

A. The contact restrictions remain necessary to protect witnesses, victims, and the ongoing investigation

3. The circumstances justifying the contact restrictions under regulation 101(2)(b) and (c) of the Regulations remain unchanged.² The restrictions currently imposed on SAID are necessary to protect witnesses, victims, and the ongoing investigation in the Central African Republic (“CAR”).

4. As set out in the Prosecution’s previous submissions³ and noted by the Single Judge,⁴ SAID’s continuous involvements and associations with armed groups actively engaging in unceasing armed hostilities in the CAR creates serious security risks to

¹ ICC-01/14-01/21-31-Conf (hereinafter “Decision”).

² ICC-01/14-01/21-9-Conf-Red, para.20; ICC-01/14-01/21-31-Conf, para.31-32.

³ ICC-01/14-01/21-10-US-Exp, para.6, 14; ICC-01/14-01/21-22-Conf, para.6.

⁴ ICC-01/14-01/21-9-Conf-Red, para.20; ICC-01/14-01/21-31-Conf, para.31-32.

the witnesses, victims and the Prosecution's ongoing investigation. SAID was not only a long time senior member of the FPRC but also before his arrest, took on a role within the *Coalition pour les Patriotes et le Changement* ("CPC"), which comprises among other former members of the Seleka and Anti-Balaka members.⁵ Since the Decision was rendered, the CPC continued to take active part in hostilities in the CAR.⁶ Reports denote that armed attacks will likely continue in the provinces⁷ as well as potentially in Bangui.⁸ Reports also allege that, as of the end of March 2021, former President François BOZIZE has formally become the "General Coordinator" of the CPC.⁹ Recently, the United Nations Security Council has adopted Resolution 2566 (2021) under Chapter 7 of the United Nations Charter in which it expressed "*its grave concern at the deterioration of the situation in the Central African Republic due to armed group attacks in advance of and following the election of 27 December 2020*", and decided to increase the size of MINUSCA military and police components by 2750 and 940 respectively, in order to protect civilians and to prevent and reverse a further deterioration in the security situation.¹⁰ In light of this context of armed groups activities and international concern related to the political and ongoing insecurity, SAID's connection to some of these armed groups, most of them having now joined the CPC, provides a concrete potential for witness interference should contact restrictions be lifted.

5. Furthermore, the COVID-19 pandemic continues to impact the Prosecution's capabilities to promptly and effectively protect witnesses and victims in the CAR. As detailed in the Prosecution's First Report on Disclosure and Related Issues, the Prosecution is still in the process of assessing and implementing necessary protection measures for witnesses identified to be particularly at risk from disclosure to the

⁵ ICC-01/14-01/21-10-US-Exp, para.14; ICC-01/14-01/21-22-Conf, para.6.

⁶ [CAR-OTP-2130-4416](#); [CAR-OTP-2130-4419](#).

⁷ [CAR-OTP-2130-4408](#).

⁸ [CAR-OTP-2130-4405](#).

⁹ [CAR-OTP-2130-4399](#); [CAR-OTP-2130-4402](#).

¹⁰ UNSC Resolution 2566 (2021): [CAR-OTP-2130-4411](#) at 4411-4413.

Suspect.¹¹ Discontinuing SAID's contact restrictions at this early stage would seriously undermine the Prosecution's ongoing efforts to put protection measures in place.

B. SAID's compliance with his terms of detention does not mitigate the need for contact restrictions

6. SAID's reported compliance with the conditions of his detention does not mitigate any of the above-mentioned risks.¹² All prisoners are legitimately expected to comply with the terms of their detention,¹³ including SAID. While the Prosecution welcomes the Registry's recent report that no incident was seen during the reporting period,¹⁴ this does not mitigate the heightened security risks for witnesses assessed to exist based on the security situation which is monitored by the Prosecution closely.

7. [REDACTED]. [REDACTED]. [REDACTED].¹⁵ [REDACTED]. [REDACTED].¹⁶ [REDACTED]. [REDACTED].

8. [REDACTED]. [REDACTED].

9. Finally, there is currently no information available to indicate that SAID has discontinued his involvement and association with the FPRC and CPC. Also, the volatile security situation in the CAR remains unchanged.

¹¹ ICC-01/14-01/21-55-Conf, para.11-12.

¹² ICC-01/14-01/21-57-Conf.

¹³ ICC-01/05-01/13-2085, para.108.

¹⁴ ICC-01/14-01/21-57-Conf, para.9-12.

¹⁵ [REDACTED].

¹⁶ [REDACTED].

IV. RELIEF SOUGHT

10. For the above reasons, the Prosecution requests the extension of the imposed contact restrictions without modification for another two months.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', written over a horizontal line.

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 19th day of August 2026
At The Hague, The Netherlands