



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 and VWU

Annex A

**Public redacted version of “Prosecution’s Fourth Request for the Extension of
Contact Restrictions”, ICC-01/14-01/21-148-Conf, dated 23 August 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 further extend the contact restrictions currently imposed on Mr Mahamat Said Abdel Kani (“Mr SAID”).¹ As detailed below, the circumstances justifying the contact restrictions persist as of the date of this Request.

II. CONFIDENTIALITY

2. The Request is filed Confidential pursuant to regulation 23*bis*(1) of the Regulations of the Court (“Regulations”), as it relates to decisions and filings of the same designation. The Annex A is filed Confidential, *ex parte*, as it contains information which relates to witness protection and ongoing investigations. A public redacted version of the Request will be filed in due course.

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, namely, “Mr Said’s continuous involvement in or association with armed groups in the volatile context of the [Central African Republic]”,² have not changed. The restrictions currently imposed on Mr SAID are necessary to protect witnesses, victims, and the ongoing investigation in the Central African Republic (“CAR”),³ especially in light of recent security incidents.

¹ ICC-01/14-01/21-116-Conf.

² ICC-01/14-01/21-69-Conf, para. 25.

³ See also ICC-01/14-01/21-31-Conf, para. 31-32; ICC-01/14-01/21-69-Conf, para. 25; ICC-01/14-01/21-116-Conf, para. 30. See also ICC-01/14-01/21-9-Conf-Red, para. 20.

1. Recent security incidents involving witnesses

4. The contact restrictions remain necessary as several Prosecution witnesses have recently reported security incidents or threatening interactions involving known or unknown associates of Mr SAID. The Prosecution previously informed the Single Judge of security incidents related to witnesses [REDACTED].⁴

5. The Prosecution recalls that Witness [REDACTED],⁵ [REDACTED]⁶ [REDACTED].⁷ [REDACTED].⁸

6. On 20 July 2021, Witness [REDACTED].⁹

7. On 3 July 2021, Witness [REDACTED].¹⁰

8. These incidents show that Prosecution witnesses are vulnerable to attempts of interference and intimidation by former and/or current associates of Mr SAID.

2. Violent acts and continuous influence of the CPC

9. Furthermore, since the Prosecution filed its Third Request for the Extension of Contact Restrictions on 25 June 2021,¹¹ the *Coalition pour les Patriotes et le Changement* ("CPC"), an armed group that has expressed its support to Mr SAID in relation to his transfer to the Court,¹² maintained its military presence and actively carried out violent operations in the Central African Republic ("CAR"). Particularly, the CPC

⁴ ICC-01/14-01/21-108-Conf-Exp, paras. 7 and 8.

⁵ ICC-01/14-01/21-125-Conf-Exp, para. 9.

⁶ See e.g., [REDACTED].

⁷ [REDACTED].

⁸ See [REDACTED].

⁹ See Annex A Investigation Report [REDACTED] (CAR-OTP-2130-8013).

¹⁰ Investigation Report: CAR-OTP-2130-6604.

¹¹ ICC-01/14-01/21-108-Conf-Red.

¹² ICC-01/14-01/21-31-Conf, para. 31; ICC-01/14-01/21-69-Conf, para. 28; ICC-01/14-01/21-116-Conf, para. 30.

attacked civilians¹³ and engaged in hostilities with FACA¹⁴ and foreign mercenaries.¹⁵ Despite numerous condemnations from the international community,¹⁶ the CPC took no effective steps to end their armed activities. On 29 July 2021, the United Nations Security Council adopted Resolution 2588 (2021) in which it determined that “the situation in the CAR continues to constitute a threat to international peace and security in the region”, and decided to extend the arms embargo in the CAR for one more year.¹⁷ The security situation in the CAR remains volatile due to the continued presence of and unabated hostilities by the armed groups.¹⁸ There is also information that the CPC is targeting persons its considers “traitors”,¹⁹ which is an added risk to Prosecution witnesses.

10. Lastly, it is noted that all evidence the Prosecution intends to rely upon at the confirmation hearing has been disclosed. Should the contact restrictions be further

¹³ See e.g., <https://corbeaunews-centrafrique.com/rca-une-personne-tuee-une-autre-blessee-et-cinq-motos-incendiees-dans-le-nord-ouest> (on 29 July, a 35-year-old man was murdered, and his child seriously injured by the 3R, member of the CPC); <https://corbeaunews-centrafrique.com/rca-une-incursion-des-rebelles-de-la-cpc-dans-le-village-bedamara-1-fait-un-mort/> (on 22 July, armed men identified as ex-Seleka who had formed a coalition with the CPC attacked a village and shot a man); <https://www.france24.com/en/africa/20210722-at-least-a-dozen-civilians-killed-in-central-african-republic-attack-un-says> (on 21 July, 13 dead bodies were discovered, which the CAR government blamed the CPC for the responsibility); <https://www.garda.com/crisis24/news-alerts/508601/car-rebel-attack-kills-at-least-12-persons-in-mann-ouham-pende-prefecture-july-31> (in early July, 12 people were murdered by 3R, a member of the CPC); <https://corbeaunews-centrafrique.com/rca-au-moins-3-personnes-tuees-un-camion-et-6-motos-incendies-par-les-rebelles-de-la-cpc-dans-le-nord-ouest/> (on 6 July, at least 3 people were killed, trucks and bikes were set on fire by the CPC).

¹⁴ See e.g., <https://humangle.ng/heavy-fighting-ongoing-between-central-african-republic-troops-and-cpc-rebels/> (on 8 June, there was a heavy fighting between the CPC and FACA); <https://humangle.ng/3r-rebels-kill-2-central-african-republic-soldiers-injure-2-in-ndongue-attack/> (on 26 July, the 3R killed two FACA. A good number of the 3R rebels who are affiliated to the CPC were reportedly killed).

¹⁵ <https://corbeaunews-centrafrique.com/encore-du-sang-verse-durant-la-semaine-29-du19-au-25-juillet-2021-par-les-mercenaires-de-la-societe-wagner/> (between 19 – 25 July, there were multiple clashes between the mercenaries and the CPC).

¹⁶ ICC-01/14-01/21-108-Conf-Red, para. 4. See also <https://corbeaunews-centrafrique.com/rca-un-expert-de-lonu-salame-des-exactions-commises-par-les-rebelles-larmee-et-les-instructeurs-russes/>.

¹⁷ [https://undocs.org/S/RES/2588\(2021\)](https://undocs.org/S/RES/2588(2021)). See also <https://www.securitycouncilreport.org/whatsinblue/2021/07/central-african-republic-vote-on-renewing-the-sanctions-regime.php>; <https://www.voanews.com/africa/violence-and-abuse-wreak-havoc-central-african-republic>.

¹⁸ Central African Republic: UN report calls for urgent end to mounting human rights abuses and violations, 4 August 2021: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27361&LangID=E>.

¹⁹ <https://humangle.ng/3r-rebels-unleash-havoc-on-civilians-burn-18-motorbikes-in-central-african-republic/>; See also MINUSCA reports persistent threats against persons that denounce violations and human rights abuses. In the reporting period, three persons were threatened by the CPC, notably the 3R and the UPC, para. 14 https://www.ohchr.org/Documents/Countries/CF/report_abuses_violations_HR_InternationalHumanitarianLaw_Elections_CAR.pdf.

relaxed or even lifted, Mr SAID could directly contact the Prosecution witnesses he has now been made aware of and/or convey information about them to his associates and supporters in the CAR, who in turn could interfere or harm the witnesses and victims. Such interference could have a detrimental effect on the proceedings and the Prosecution's ability to present its case against Mr SAID.

11. The Prosecution also reiterates that due to the COVID-19 pandemic, its capabilities to promptly and effectively protect witnesses and victims in the CAR are still impacted. The importance of preventing possible leaks of confidential information between Mr SAID to persons active on the ground has not changed.

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

12. Mr SAID's reported compliance with the conditions of his detention²⁰ does not mitigate any of the above-mentioned risks.²¹ The Prosecution incorporates by reference, its prior arguments previously submitted to the Chamber.²²

13. Considering the above mentioned risks, the restrictions are also proportionate as there are no less intrusive measures available to mitigate the risk. Mr SAID is currently allowed to contact his immediate family members and other persons.²³ Contacts within the detention centre are also possible.²⁴ Furthermore, the duration of Mr SAID's non-privileged telephone calls has also been extended by the Single Judge.²⁵

14. Although there have been additional recent security incidents involving Prosecution witnesses, [REDACTED], the Prosecution still considers the restrictions

²⁰ ICC-01/14-01/21-147-Conf, paras. 5 - 7.

²¹ See ICC-01/14-01/21-111-Conf-Red, para. 83.

²² ICC-01/14-01/21-108-Conf-Red, para. 10, referring to ICC-01/14-01/21-61-Conf, para.6.

²³ ICC-01/14-01/21-31-Conf, para. 34.

²⁴ ICC-01/14-01/21-9-Conf-Red, para. 29.

²⁵ ICC-01/14-01/21-116-Conf, para. 35.

as currently ordered and implemented to be sufficient to mitigate the abovementioned risks.²⁶

15. As of the date of this Request, there is also no indication that the security situation in CAR will significantly improve in the coming months. Thus, an extension of the restrictions for an additional two months would be proportionate.

IV. RELIEF SOUGHT

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

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

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 19th day of August 2026

At The Hague, The Netherlands

²⁶ See ICC-01/14-01/21-147-Conf, paras. 5 – 7. There have been no incidents reported by the Registry.