



Original: **English**

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

Date: **25 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 “Confidential Redacted Version of “Prosecution’s Third Request for the Extension of Contact Restrictions” dated 25 June 2021”, ICC-01/14-01/21-108-Conf-Red, dated 25 June 2021

Source: Office of the Prosecutor

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

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☒ 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

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Mr Zavala Giler Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

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Reparations Section

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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 for an additional two months under the same conditions ("Request"). The circumstances justifying the contact restrictions persist as of the date of this Request.

II. CONFIDENTIALITY

2. The Request and Annex A are filed *Confidential EX PARTE* pursuant to regulation 23bis(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, 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").

¹ ICC-01/14-01/21-69-Conf.

² ICC-01/14-01/21-69-Conf, para.25.

4. Since the Decision on the ‘Prosecution’s Second Request for the Extension of Contact Restrictions’ was rendered,³ the *Coalition pour les Patriotes et le Changement* (“CPC”) continued to display its strong military presence in the CAR and actively take part in armed hostilities. There are multiple reports documenting the CPC’s military engagements with the CAR military,⁴ foreign mercenaries⁵ and international peacekeeping forces.⁶ In May 2021, the CPC allegedly killed civilians, burnt house and committed other atrocities.⁷ The CPC has also fought alongside with other armed groups in its military operations.⁸ These persistent violent activities by the CPC were condemned in early June 2021 by the international community and seen as an impediment to the development of peace and security in the CAR.⁹ Before his arrest, Mr SAID was engaged with the armed groups of the FPRC and CPC. There is no indication that Mr SAID has relinquished his previous support and connection with the armed groups of the FPRC and CPC since his arrest.¹⁰ This continues to pose an objective risk of witness interference should contact restrictions be lifted.

5. As explained in the Prosecution’s Second Request for the Extension of Contact Restrictions (“Second Extension Request”),¹¹ an initial analysis of the mobile numbers found in SAID’s phone revealed that [REDACTED]. [REDACTED]. The Prosecution

³ ICC-01/14-01/21-69-Conf.

⁴ See e.g., <https://abcnews.go.com/International/wireStory/chief-criticizes-central-african-republic-forces-actions-78327979>; <https://humangle.ng/clash-between-cpc-rebels-car-soldiers-leaves-several-dead-others-wounded-in-bemal/>; <https://humangle.ng/cpc-rebels-kill-central-african-republic-soldier-in-early-morning-attack/>.

⁵ See e.g., <https://humangle.ng/3-cpc-rebels-die-in-gun-battle-with-russian-mercenaries-in-central-african-republic/>.

⁶ See e.g., <https://www.tellerreport.com/news/2021-06-05-central-african-republic--%22threats-have-not-always-come-from-cpc-groups%22.B1r2rpFY5u.html>. (It is reported that more than ten peacekeepers have been killed by the CPC by 4 June 2021).

⁷ See e.g., <https://humangle.ng/central-african-republic-cpc-rebels-attack-grevai-village-again-kill-10-civilians/>.

⁸ See e.g., <https://humangle.ng/rebels-kill-1-injure-3-persons-in-northwest-central-african-republic/>.

⁹ See e.g., <https://minusca.unmissions.org/en/ensure-car-does-not-return-war>; <https://www.tellerreport.com/news/2021-06-05-central-african-republic--%22threats-have-not-always-come-from-cpc-groups%22.B1r2rpFY5u.html>.

¹⁰ ICC-01/14-01/21-69-Conf, para.28.

¹¹ ICC-01/14-01/21-61-Conf-Exp, para.8.

is progressing on the further analysis of the data extracted from these phones and analytical reports will be disclosed as soon as completed.

6. Furthermore, as detailed in the Prosecution's Second Report on Disclosure and Related Matters, the Prosecution is working on the implementation of witness protection measures, and has already referred several witnesses to the VWS.¹² However, to enable the disclosure of the identity of witnesses, the adoption of contingency protection measures for some witnesses is still ongoing. Discontinuing Mr SAID's contact restrictions at this stage of the proceedings would undermine the Prosecution's ongoing efforts to put these protection measures in place.

B. Security incidents concerning Prosecution witnesses

7. In the Second Extension Request, the Prosecution informed the Single Judge of the security incident of witness [REDACTED].¹³ The Prosecution is still attempting to identify the caller of this incident, including by making inquiries to the CAR authorities.

8. Furthermore, in the course of contacting its witnesses for disclosure purposes, the Prosecution has received information related to a past security incident. [REDACTED].¹⁴ While this incident took place before the arrest and transfer of Mr SAID to the seat of the Court and there is no information linking this incident to Mr SAID, it nevertheless underscores that former Seleka members employ intimidation tactics against cooperating witnesses.

9. The Prosecution reiterates that due to the COVID-19 pandemic, the Prosecution's capabilities to promptly and effectively protect witnesses and victims in the CAR is

¹² ICC-01/14-01/21-87-Conf-Red, para.14-16.

¹³ ICC-01/14-01/21-61-Conf, para.7.

¹⁴ See Annex A. Annex A is submitted *ex parte* since it contains information related to the ongoing investigation of the Prosecution into the case and in relation to this security incident.

seriously impacted. The importance of preventing possible leaks of confidential information between Mr SAID to persons active on the ground cannot be overemphasized.

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

10. Mr SAID's reported compliance with the conditions of his detention¹⁵ does not mitigate any of the above-mentioned risks. The Prosecution incorporates its argument in the Second Extension Request by reference.¹⁶

IV. RELIEF SOUGHT

11. 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 25th day of August 2026

At The Hague, The Netherlands

¹⁵ ICC-01/14-01/21-107-Conf, para.5-8.

¹⁶ ICC-01/14-01/21-61-Conf, para.6.