

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 27 August 2026

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

Public Redacted Version of “Third Registry Report on the Implementation of the Restrictions on Contact Ordered by Trial Chamber VI” (ICC-01/14-01/21-691-Conf-Exp) dated 8 February 2024

Source: Registry

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

☐ States' Representatives

☐ Amicus Curiae

REGISTRY

Registrar

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☒ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. Following the “Decision on the Defence Application for Interim Release of Mahamat Said Abdel Kani and Contact Restrictions” (“3 March 2022 Decision”)¹ issued by the Trial Chamber VI of the International Criminal Court (“Chamber” and “Court”, respectively) on 3 March 2022, in which the Registry is ordered to “immediately inform the Chamber of any violation of the contact restrictions”² in relation to Mr Mahamat Said Abdel Kani (“Mr Said”), the Registry hereby submits its report.

II. Procedural history

2. Pursuant to a series of decisions and Registry reports,³ the Chamber has ordered the restrictions on Mr Said’s contacts to be: (1) actively monitored non-privileged telephone calls with authorized individuals, excluding immediate family members whom the Registry does not consider as “possible vectors for attempts to obstruct the proceedings or to breach confidentiality”, for two hours

¹ Trial Chamber VI, “Decision on the Defence Application for Interim Release of Mahamat Said Abdel Kani and Contact Restrictions” (“3 March 2022 Decision”), 3 March 2022, ICC-01/14-01/21-247-Conf.

² *Ibid.*, para. 48.

³ Pre-Trial Chamber II, “Confidential Redacted Version of ‘Decision on the ‘Prosecution’s Request for Contact Restrictions concerning Mahamat Said Abdel Kani in Pre-trial Detention’” (“3 February Decision 2021”), 3 February 2021, ICC-01/14-01/21-9-Conf-Red; Registry, “Confidential Redacted Version of ‘Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge’, filed on 24 February.”, 24 February 2021, ICC-01/14-01/21-23-Conf-Red; Pre-Trial Chamber II, “Decision on the ‘Prosecution’s Request for Extension of Contact Restrictions’” (“5 March 2021 Decision”), 5 March 2021, ICC-01/14-01/21-31-Conf; Registry, “Second Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge”, 21 April 2021, ICC-01/14-01/21-57-Conf; Pre-Trial Chamber II, “Decision on the ‘Prosecution’s Second Request for the Extension of Contact Restrictions’” (“5 May Decision 2021”), 5 May 2021, ICC-01/14-01/21-69-Conf; Registry, “Third Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge”, 23 June 2021, ICC-01/14-01/21-107-Conf; Pre-Trial Chamber II, “Decision on the Prosecution’s third request for the extension of contact restrictions” (“5 July 2021 Decision”), 5 July 2021, ICC-01/14-01/21-116-Conf; Registry, “Fourth Registry Report on the Implementation of the Restrictions on Contact Ordered by the Single Judge”, 20 August 2021, ICC-01/14-01/21-147-Conf.; Pre-Trial Chamber II, “Decision on the Prosecution’s fourth request for the extension of contact restrictions” (“3 September 2021 Decision”), 3 September 2021, ICC-01/14-01/21-159-Conf; Registry, “Registry Report on the Implementation of the Restrictions on Contact Ordered by Trial Chamber VI”, 24 January 2022, ICC-01/14-01/21-232-Conf+Conf-Exp-Anx; 3 March 2022 Decision; Registry, “Registry Report on the Implementation of the Restrictions on Contact Ordered by Trial Chamber VI” (“Registry Report”), 26 January 2024, ICC-01/14-01/21-677-Conf-Exp.

per week on a maximum of two days;⁴ (2) actively monitored non-privileged visits with authorized individuals;⁵ (3) non-privileged telephone calls and visits are limited to authorized individuals provided that their identities and contact details have been verified by the Registry with the support of the Victims and Witnesses Unit (“VWU”) in liaison with the Prosecutor;⁶ (4) non-privileged telephone calls and visits are limited to the French and Sango language;⁷ and (5) the prohibition of using obscure or coded language, or discussing the substantive aspects of his case with his non-privileged contacts.⁸

III. Classification

3. In accordance with regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the present report and annex are classified as confidential, *ex parte* only available to the Defence for Mr Said and the Registry, as: (1) reference is made to confidential decisions and; (2) they contain third-party and personal information pertaining to Mr Said’s private life. A confidential redacted version of the present report will be filed simultaneously.

IV. Applicable law

4. For the purpose of the present report, the Registry has considered regulation 99(1)(i) of the Regulations of the Court (“RoC”), and regulations 173, 174, and 175 of the Regulations of the Registry (“RoR”).

V. Submissions

In relation to non-privileged telephone calls

5. In implementing the restrictions on contacts,⁹ the Registry has actively monitored Mr Said’s non-privileged telephone calls with 1) his immediate

⁴ Trial Chamber VI, 3 March 2022 Decision, paras. 45 (a) and 46.

⁵ *Ibid.*, para. 45 (b).

⁶ *Ibid.*, paras. 45 (a)(b) and 46.

⁷ *Ibid.*, para. 45 (a)(b).

⁸ *Ibid.*, para. 45 (a)(b)(c).

⁹ *Ibid.*, paras. 45 (a) and 46.

family members of whom the Registry has considered “possible vectors for attempts to obstruct the proceedings or to breach confidentiality” and 2) all other non-privileged contacts. In this context the Registry reports the following:

6. On 25 January 2024, Mr Said called his [REDACTED] (“25 January 2024 call” and “Interlocutor”). From the transcript of the 25 January 2024 call:¹⁰

Mr Said said: «[REDACTED]» to which the Interlocutor replied: «[REDACTED]». Mr Said replied: «[REDACTED]» The Interlocutor replied: «[REDACTED]».

7. Pursuant to the 3 March 2022 Decision,¹¹ Mr Said is not allowed to use obscure or coded language and is limited to the use of Sango and French languages in his non-privileged conversations. The Registry considers that the conversation could be considered obscure or coded, as Mr Said and his interlocutor referred generally to “work” and “names and addresses” without describing or further specifying. In addition, the term “[REDACTED]”, does not appear to be in Sango or French.
8. After verification,¹² the Interlocutor was added to Mr Said’s actively monitored non-privileged telephone contact list on 9 May 2022, as he is not an immediate family member, and the Registry considered that this person could be considered as a possible vector for attempts to obstruct the proceedings or to breach confidentiality.¹³
9. The Registry is not in the position to know the identity of the individual named “[REDACTED]” mentioned in the 25 January 2024 call. However, there are

¹⁰ Annex.

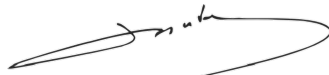
¹¹ Trial Chamber VI, 3 March 2022 Decision, para. 45.

¹² Registry, “Registry Report on the Implementation of the Restrictions on Contact Ordered by Trial Chamber VI” (“Registry Report”), 26 January 2024, ICC-01/14-01/21-677-Conf-Exp, para. 7.

¹³ Trial Chamber VI, 3 March 2022 Decision, paras. 45 (a) and 46.

[REDACTED] individuals with the name of “[REDACTED]”¹⁴ on Mr Said’s non-privileged telephone contact list, who are not subject to active monitoring, as they are immediate family members and were not considered as possible vectors for attempts to obstruct the proceedings or breach confidentiality.

10. The Registry has recently reminded Mr Said *via* a memorandum of his responsibilities to be clear in his non-privileged conversations and to avoid using obscure language.



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

Dated this 27 August 2026

At The Hague, the Netherlands

¹⁴ Defence, “Liste des membres de la famille de Monsieur Said (List of Family Names) avec lesquels il souhaite être en contact régulier dans le cadre des appels téléphoniques non-privilegiés dont il peut bénéficier”, 14 March 2022, ICC-01/14-01/21-257-Conf-Exp-AnxA.