

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 28 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 the “Registry’s Observations on the “Prosecution’s Submissions on Audio-Video Link Testimony” (ICC-01/14-01/21-403-Conf)”, ICC-01/14-01/21-418-Conf, filed on 21 July 2022

Source: Registry

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

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☒ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. Introduction

1. The Registry submits these observations pursuant to Trial Chamber VI's ("Chamber") directions communicated by way of email dated 15 July 2022 ("Directions")¹ following the "Prosecution's Submissions on Audio-Video Link Testimony" ("Submissions").²

II. Classification

2. In accordance with regulation 23*bis*(2) of the Regulations of the Court, the present observations are classified confidential, as they refer to a document with the same classification.

III. Submissions

3. After the charges against Mahamat Said Abdel Kani were partially confirmed by Pre-Trial Chamber II on 9 December 2021,³ the Registry started exploring possible measures to be put in place to reinforce its capacity in order to accommodate the appearance of witnesses *via* video-link ("AVL Testimony") [REDACTED].
4. The Victims and Witnesses Unit ("VWU" or "Unit") also advised the relevant Registry Sections [REDACTED]. [REDACTED],⁴ [REDACTED].

¹ Trial Chamber VI Communications, email sent on 15 July 2022 at 09.00.

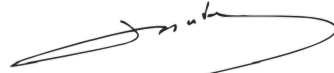
² Office of the Prosecutor, "Prosecution's Submissions on Audio-Video Link Testimony", 12 July 2022, ICC-01/14-01/21-403-Conf.

³ Pre-Trial Chamber II, Decision on the confirmation of charges against Mahamat Said Abdel Kani, ICC- 01/14-01/21-218-Red, 9 December 2022.

⁴ ICC-01/14-01/21-T-007-CONF-ENG ET, p. 13, lns. 7-25.

5. Following the Submissions, the VWU has studied the application of the Office of the Prosecutor (“Prosecution”) for conducting AVL [REDACTED].
6. The VWU has also been in contact with the Prosecution regarding the expected list of witnesses and while understanding that the issue of the AVL Testimonies is mainly an *inter partes* matter, the VWU would recommend the most appropriate mode of testimony to be implemented (AVL *vs* Court appearance at the Seat of the Court). It is the Registry’s view that the expected length of the testimony and the time the witness can afford to safely stay away from home are two essential factors that determine the rate of witness turnout, and should therefore be taken into account when considering their mode of appearance.
7. [REDACTED]. Should the witnesses be required to appear [REDACTED], the VWU would be required to inform the authorities of the AVL Testimony locations a minimum of six weeks before the anticipated appearance and arrange the travel of witnesses including obtaining their travel documents. Additionally, it should be noted that [REDACTED].
8. Finally, to ensure a smooth process, the VWU would recommend the Prosecution to submit any relevant information about its witnesses through the Witness Information Form no less than 35 days before the witness is scheduled to arrive at the location of testimony as provided for in the Familiarisation Protocol that is adopted in other cases before the Court. A separate submission from the VWU could be presented to the Chamber for that purpose at a later stage before the commencement of the trial.

9. In conclusion, the Registry stands ready to facilitate the testimony of the concerned witnesses via AVL should the Chamber consider this mode of testimony to be the most appropriate



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

Dated this 28 August 2026

At The Hague, the Netherlands