

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **31 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

Public redacted version of “Prosecution’s Request for Evidence in the Custody of the Registry”, ICC-01/14-01/21-12-US-Exp, dated 5 February 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

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☐ Unrepresented Applicants
(Participation/Reparation)

☐ The Office of Public Counsel for Victims

☐ The Office of Public Counsel for the Defence

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REGISTRY

Registrar

Mr Zavala Giler Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. INTRODUCTION

1. For the purpose of discharging its investigative duties under article 54(1)(a) of the Rome Statute, the Office of the Prosecutor (“Prosecution”) requests that the Single Judge instruct the Registry to transmit to the Prosecution two mobile phones seized from Mahamat Said Abdel Kani (“SAID”) at the time of his arrest. The Prosecution seeks to inspect and assess the content of the phones, including their data since there exists the reasonable possibility that they contain information relevant to the ongoing investigation against SAID and other persons of interest in the Seleka Investigation.

II. CONFIDENTIALITY

2. The Request is filed *Under Seal* and *Ex Parte*, pursuant to regulation 23bis(1) and (2) of the Regulations of the Court, as it relates to decisions and filings of the same designation. A confidential redacted version will be filed concurrently.

III. SUBMISSIONS

3. On 20 January 2021, SAID was arrested in Bria, Central African Republic in execution of the warrant issued for his arrest by the Single Judge (“Warrant of Arrest”).¹ When issuing the Warrant of Arrest, the Single Judge ordered the seizure of “any evidence, such as cell phones, computers, diaries, address books, notes, records of meetings or conversations, weapons and clothes, which are reasonably believed to have been used in, are connected with, or provide evidence of the crimes described in this warrant of arrest”.² The Single Judge further ordered that any seized items be transmitted to the Court.³

¹ ICC-01/14-01/21-6-US-Exp, para.8; ICC-01/14-42-US-Exp.

² ICC-01/14-42-US-Exp, pp.24-25.

³ ICC-01/14-42-US-Exp, p.25.

4. At the time of SAID's arrest, five items including two mobile phones were seized and subsequently handed over to the Registry in execution of the Single Judge's order.⁴

5. The Prosecution requests that the two mobile phones be made available to its Office as soon as practicable in order to inspect and assess the phone data in furtherance of its investigation against SAID and his associates. The two phones were carried by SAID at the time of the arrest and are therefore believed to have been owned and used by SAID. While it is not known whether these phones were already in SAID's possession at the time of the alleged crimes, there is the reasonable possibility that they contain data that relates directly or indirectly to the crimes charged. For example, the phones could include SAID's contacts which help to further establish his relationships with certain individuals, like known associates, other suspects [REDACTED]. In addition, data like the phone numbers of the SIM-cards of the two phones, saved contacts and saved messages can assist with the attribution of call data records of SAID and other persons of interest in the Seleka Investigation. Furthermore, analysis of software and applications used by SAID on these phones could lead to uncovering his social network service accounts which may in turn contain information relevant to the crimes in question. [REDACTED] and with the Prosecution's effort to track financial activities carried out by SAID.

6. Upon their receipt, the Prosecution will forensically review the content of the phones and extract any relevant data they may contain.⁵ If upon examining the phones, the Prosecution concludes that there is no relevant information stored on them or the hardware of the phones themselves are not considered to have evidentiary value, they will be returned to the Registry for safekeeping.

⁴ ICC-01/14-01/21-6-US-Exp, paras.8, 18, 32 and Annexes VI and VII.

⁵ In order to respect any potential privacy rights of SAID, the Prosecution will limit the access to the data to only those Prosecution staff members necessary to extract and analyse the said data.

IV. RELIEF SOUGHT

7. For the above reasons, the Prosecution requests that the Single Judge instruct the Registry to transmit the two mobile phones seized from SAID to the Prosecution.

A handwritten signature in black ink, appearing to read 'Mame Mandiaye Niang'.

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 31st day of August 2026
At The Hague, The Netherlands