

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 July 2021

PRE-TRIAL CHAMBER II

Before: Judge Rosario Salvatore Aitala, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v.
MAHAMAT SAID ABDEL KANI***

Public

Notification pursuant to the “Decision on legal representation of victims and related matters” (No. ICC-01/14-01/21-119)

Source: Office of Public Counsel for Victims

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

The Office of the Prosecutor

Mr Karim A. A. Khan QC

Mr James Stewart

Mr Eric MacDonald

Counsel for the Defence

Ms Jennifer Naouri

Mr Dov Jacobs

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Sarah Pellet

Ms Caroline Walter

**The Office of Public Counsel for the
Defence**

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Mr Philipp Ambach

Other

I. PROCEDURAL BACKGROUND

1. On 7 January 2019, Judge Aitala, acting on behalf of Pre-Trial Chamber II (the “Chamber”), issued the “Warrant of arrest for Mahamat Said Abdel Kani”. A public redacted version thereof was issued on 17 February 2021.¹

2. Mr Said was surrendered to the International Criminal Court on 24 January 2021² and appeared before the Single Judge on 28 and 29 January 2021.³

3. On 25 January 2021, Judge Aitala was designated by the Chamber as Single Judge responsible for carrying out the functions of the Chamber in the present case until otherwise decided.⁴ This decision was confirmed by the Chamber on 17 March 2021⁵ following the recomposition of the Chambers by the Presidency.⁶

4. On 26 February 2021, pursuant to regulation 24*bis*(1) of the Regulations of the Court, the Registry filed the “Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings”.⁷

¹ See the “Public Redacted Version of ‘Warrant of Arrest for Mahamat Said Abdel Kani’, 7 January 2019, ICC-01/14-01/21-2-US-Exp” (Pre-Trial Chamber II, Single Judge), [No. ICC-01/14-01/21-2-Red2](#), 17 February 2021.

² See “Situation in Central African Republic II: Mahamat Said Abdel Kani surrendered to the ICC for crimes against humanity and war crimes”, [ICC-CPI-2021024-PR1559](#), 24 January 2021.

³ See the transcripts of the hearings held on 28 and 29 January 2021, [No. ICC-01/14-01/21-T-001-ENG](#) and [No. ICC-01/14-01/21-T-002-ENG](#).

⁴ See the “Decision on the designation of a Single Judge” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-3](#), 25 January 2021.

⁵ See the “Decision on the designation of a Single Judge” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-42](#), 17 March 2021.

⁶ See the “Decision assigning judges to divisions and recomposing Chambers” (Presidency), [No. ICC-01/14-01/21-40](#), 16 March 2021.

⁷ See the “Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings”, [No. ICC-01/14-01/21-25](#), 26 February 2021, together with two public annexes ([ICC-01/14-01/21-25-AnxI](#) and [ICC-01/14-01/21-25-AnxII](#)).

5. On 11 March 2021, the Defence filed the “Defence Response ‘Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings’ (ICC-01/14-01/21-25)”.⁸

6. On 16 April 2021, the Single Judge issued the “Decision establishing the principles applicable to victims’ applications for participation”.⁹

7. On 21 May 2021, the Registry filed the “Registry Report on Legal Representation of Victims and Observations on the Defence Requests”.¹⁰

8. On 26 May 2021, the Defence filed the “*Réponse de la Défense au ‘Registry Report on Legal Representation of Victims and Observations on the Defence Requests’* (ICC-01/14-01/21-80)”.¹¹

9. On 9 July 2021, the Single Judge issued the “Decision on legal representation of victims and related matters” (the “Decision on Legal Representation of Victims”),¹² appointing “*the OPCV to represent the collective interests of applicant victims, on a temporary and provisional basis*”, until “*the Chamber’s eventual decision taken on matters of legal representation at the stage of the determinations of the merits of the victim applications and on the status of victims*”.¹³

⁸ See the “Defence Response ‘Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings’ (ICC-01/14-01/21-25) Defence Response ‘Registry Submissions on Aspects Related to the Participation of Victims in the Proceedings’ (ICC-01/14-01/21-25)”, [No. ICC-01/14-01/21-36-tENG](#), 11 March 2021.

⁹ See the “Decision establishing the principles applicable to victims’ applications for participation” (Pre-Trial Chamber II, Single Judge), [No. ICC-01/14-01/21-56](#), 16 April 2021.

¹⁰ See the “Registry Report on Legal Representation of Victims and Observations on the Defence Requests”, [No. ICC-01/14-01/21-80](#), 21 May 2021, together with one public annex ([ICC-01/14-01/21-80-AnxI](#)).

¹¹ See the “Public Redacted Version of ‘Defence Response to the “Registry Report on Legal Representation of Victims and Observations on the Defence Requests” (ICC-01/14-01/21-80)’”, [No. ICC-01/14-01/21-84-Red-tENG](#), 26 May 2021.

¹² See the “Decision on legal representation of victims and related matters” (Pre-Trial Chamber II, Single Judge), [No. ICC-01/14-01/21-119](#), 9 July 2021.

¹³ *Ibid.*, p. 12.

II. NOTIFICATION

10. Pursuant to the Decision on Legal Representation of Victims, Counsel of the Office of Public Counsel for Victims (the “OPCV”) herewith notifies the Chamber that she has been designated to act as the Counsel representing the collective interests of applicant victims in the present case.

11. As per usual practice, a Central African lawyer will be designated as Field assistant or Field counsel to be permanently based in the field and to maintain regular contact with the victims. The Chamber will be notified of the name of the designated person in due course.

12. In order to avoid any conflict of interests, perceived or real, with her colleagues representing victims in the *Yekatom and Ngaïssona* case, Counsel informs the Chamber that an information management system that allows for rigorous segregation of access to information relevant to each particular case is in place within the OPCV.¹⁴

13. Accordingly, Counsel further informs the Chamber that none of the members of her team has had any dealings with the *Yekatom and Ngaïssonna* proceedings.

Respectfully submitted.



Sarah Pellet
Counsel

Dated this 12th day of July 2021
At The Hague, The Netherlands

¹⁴ See the “Joint Report on the organisation of common legal representation of victims”, No. [ICC-01/04-02/06-176](#), 13 December 2013, paras. 10-13 and the “Notification by the Office of Public Counsel for Victims pursuant to the “Decision on the Legal Representation of Victims” dated 23 May 2019 (ICC-01/14-01/18)”, [No. ICC-01/14-01/18-218-Red](#), 4 June 2019.