



Original: **English**

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

Date: **31 August 2021**

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 Annexes A to M

Prosecution's Communication of the Disclosure of Evidence on 30 August 2021

Source: Office of the Prosecutor

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 Defence

Ms Jennifer Naouri

Mr Dov Jacobs

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

**The Office of Public Counsel
for Victims**

Ms Sarah Pellet

Ms Caroline Walter

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation
and Reparations Section**

Other

I. INTRODUCTION

1. The Office of the Prosecutor (“Prosecution”) submits this communication regarding the disclosure of evidence.

II. CONFIDENTIALITY

2. The Annexes, appended to this filing, are classified as “Confidential” as they relate to evidence disclosed *inter partes* that should not be released to the public.

III. SUBMISSIONS

3. On 30 August 2021, the Prosecution disclosed to the Defence of Mahamat Said Abdel Kani “Pre-Confirmation RULE 77 Package 009” containing 453 items, “Pre-Confirmation RULE 77 Package 010” containing 600 items, “Pre-Confirmation RULE 77 Package 011” containing 492 items, “Pre-Confirmation RULE 77 Package 012” containing 500 items, “Pre-Confirmation RULE 77 Package 013” containing 105 items, “Pre-Confirmation RULE 77 Package 014” containing 2 items, “Pre-Confirmation RULE 77 Package 015” containing 198 items, “Pre-Confirmation RULE 77 Package 016” containing 19 items, “Pre-Confirmation RULE 77 Package 017” containing 39 items, “Pre-Confirmation RULE 77 Package 018” containing 81 items, Pre-Confirmation RULE 77 Package 019” containing 5 items, “Pre-Confirmation Metadata Update package 006” containing 5 items (“Host Reference” update) and “Pre-Confirmation Metadata Update package 007” containing 1 item (“lesser redactions to the metadata” update).

4. The packages consist of materials classified as Rule 77 relevant to OCRB, CEDAD and Chapeau elements of articles 7 and 8 of the Rome Statute that are also deemed material to the preparation of the Defence, as well as the re-disclosure of documents due to an update to the “source” metadata field and lesser redactions to the metadata

respectively. The lists of disclosed evidence are attached as Annexes A to M to this communication.

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line and a dot.

Karim A. A. Khan QC, Prosecutor

Dated this 31st day of August 2021
At The Hague, The Netherlands