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

Date: **20 May 2022**

**TRIAL CHAMBER VI**

**Before: Judge Miatta Maria Samba, Single Judge**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II  
IN THE CASE OF *PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

**Public**

**with Confidential Annexes A, B, C, D and E**

**Prosecution's Communication of the Disclosure of Evidence on 19 May 2022**

**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 Mame Mandiaye Niang

**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

Tars Van Litsenborgh

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

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**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 19 May 2022, the Prosecution disclosed to the Defence of Mahamat Said Abdel Kani “Pre-Trial INCRIM package 067” containing 7 items, “Pre-Trial INCRIM package 068” containing 529 items, “Pre-Trial Rule 77 package 034” containing 45 items, “Pre-Trial Rule 77 package 035” containing 16 items and “Pre-Trial re-classification to INCRIM package 005” containing 35 items.

4. The disclosure of “Pre-Trial INCRIM package 067” consists of materials which are relevant to the OCRB and aspects of the chapeau elements of article 7 and 8 of the Rome Statute that are classified as incriminatory evidence. This package includes witness documents, investigation reports, photographs, communications and a dossier.

5. The disclosure of “Pre-Trial INCRIM package 068” consists of materials which are relevant to aspects of the chapeau elements of article 7 and 8 of the Rome Statute that are classified as incriminatory evidence. This package includes photographs shown to witness P-0342 during his interview.

6. The disclosure of “Pre-Trial Rule 77 package 034” consists of non-witness related evidence deemed material to the preparation of the Defence. This package contains

press articles, reports, communications, photographs, lists, audio-video material, transcripts and translations.

7. The disclosure of “Pre-Trial Rule 77 package 035” consists of witness documents related evidence deemed material to the preparation of the Defence. This package contains documents shown to witnesses P-0510 and P-0966, documents related to witness P-2872 and investigator reports.

8. The disclosure of “Pre-Trial re-classification to INCRIM package 005” consists of documents which are now re-classified as INCRIM.

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

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**Karim A. A. Khan QC, Prosecutor**

Dated this 20<sup>th</sup> day of May 2022

At The Hague, The Netherlands