

Annex

Procedural Background

1. On 7 January 2019, Judge Aitala, acting on behalf of Pre-Trial Chamber II (the “Single Judge”), issued the “Warrant of arrest for Mahamat Said Abdel Kani” (“Mr Saïd”). A public redacted version thereof was issued on 17 February 2021.¹
2. Following his arrest by the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic on 20 January 2021, Mr Saïd was surrendered to the Court on 24 January 2021.² He arrived at the Court’s Detention Centre on the following day.³
3. On 29 January 2021, in accordance with the Single Judge’s decision dated 26 January 2021,⁴ and his further instructions dated 28 January 2021,⁵ Mr Saïd appeared before the Single Judge pursuant to article 60(1) of the Statute and rule 121(1) of the Rules of Procedure and Evidence (the “Rules”).⁶
4. On 26 February 2021, the Registry submitted observations and recommendations on aspects related to the admission process for victims seeking to participate in the proceedings.⁷
5. On 16 April 2021, the Single Judge issued the “Decision establishing the principles applicable to victims’ applications for participation”, endorsing, *mutatis mutandis*, the victim admission system adopted in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*.⁸

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 “Report of the Registry on the Arrest and Surrender of Mr Mahamat Said Abdel Kani and Request for Guidance”, No. ICC-01/14-01/21-6-US-Exp and No. ICC-01/14-01/21-6-Conf-Exp-Red2.

⁴ See the “Decision on the convening of a hearing for the initial appearance of Mr Mahamat Said Abdel Kani” (Pre-Trial Chamber II, Single Judge), [No. ICC-01/14-01/21-4](#), 26 January 2021.

⁵ See the transcript of the hearing held on 28 January 2021, [No. ICC-01/14-01/21-T-001-ENG](#), p. 4, line 20 to p. 5, line 4.

⁶ See the transcript of the hearing held on 29 January 2021, [No. ICC-01/14-01/21-T-002-ENG](#).

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.

⁸ 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. See also the “Decision

6. On 21 May 2021, the Registry filed the “Registry Report on Legal Representation of Victims and Observations on the Defence Requests”.⁹

7. On 9 July 2021, the Single Judge issued the “Decision on legal representation of victims and related matters”, *inter alia*, 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”.¹⁰

8. On 14 September 2021, Pre-Trial Chamber II (the “Pre-Trial Chamber”) set the start date of the confirmation of charges hearing on 12 October 2021.¹¹

9. On 6 October 2021, the Single Judge issued the “Decision on victim applications for participation in the proceedings and on legal representation of victims”, authorising 27 victims to participate in the proceedings and appointing OPCV Counsel to act as the common legal representative of the victims.¹²

10. The confirmation of charges hearing took place from 12 to 14 October 2021.¹³

11. On 9 December 2021, the Pre-Trial Chamber confirmed the charges against Mr Saïd relating to crimes allegedly committed at the *Office Central de Répression du Banditisme* between 12 April and 30 August 2013 (the “Confirmation Decision”).¹⁴

Establishing the Principles Applicable to Victims’ Applications for Participation” (Pre-Trial Chamber II), [No. ICC-01/14-01/18-141](#), 5 March 2019.

⁹ 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](#)).

¹⁰ 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.

¹¹ See the “Order setting the schedule for the confirmation of charges hearing” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-172](#), 14 September 2021.

¹² See the “Decision on victim applications for participation in the proceedings and on legal representation of victims” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-199](#), 6 October 2021.

¹³ See the transcript of the hearing held on 12 October 2021, [No. ICC-01/14-01/21-T-004-Red2-ENG](#); the transcript of the hearing held on 13 October 2021, [No. ICC-01/14-01/21-T-005-Red2-ENG](#); and the transcript of the hearing held on 14 October 2021, [No. ICC-01/14-01/21-T-006-ENG](#).

¹⁴ See the “Decision on the confirmation of charges against Mahamat Saïd Abdel Kani” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-218-Conf](#) and [No. ICC-01/14-01/21-218-Red](#), 9 December 2021.

12. On 10 December 2021, the Registrar transmitted the record of the proceedings to the Presidency, including the Decision on the confirmation of charges against Mahamat Said Abdel Kani.¹⁵

13. On 14 December 2021, the Presidency referred the case to the newly constituted Trial Chamber VI (the “Chamber”).¹⁶ The following day, the Trial Chamber elected its Presiding Judge and its Single Judge.¹⁷

14. On 21 December 2021, the Registrar transmitted the record of the proceedings to the Chamber.¹⁸

15. On 14 January 2022, the Chamber issued an order convening the first Status Conference.¹⁹

16. On 28 January 2022, the Chamber held the first Status Conference, during which it appointed the OPCV to represent the collective interests of future applicants in the proceedings, pending the appointment of one or more common legal representatives for the trial proceedings.²⁰

17. On 21 February 2022, the Chamber set the start date of the trial on 26 September 2022.²¹

¹⁵ See the “Transmission to the Presidency of the record of the proceedings, including the Decision on the confirmation of charges against Mahamat Said Abdel Kani, ICC-01/14-01/21-218-Conf, dated 09 December 2021”, [No. ICC-01/14-01/21-219-Conf](#), 10 December 2021.

¹⁶ See the “Decision constituting Trial Chamber VI and referring to it the case of *The Prosecutor v. Mahamat Said Abdel Kani*” (Presidency), [No. ICC-01/14-01/21-220](#), 14 December 2021.

¹⁷ See the “Decision notifying the election of the Presiding Judge and Single Judge” (Trial Chamber VI), [No. ICC-01/14-01/21-221](#), 15 December 2021.

¹⁸ See the “Transmission to Trial Chamber VI of the record of the proceedings, including the Decision on the confirmation of charges against Mahamat Said Abdel Kani, ICC01/14-01/21-218-Conf, dated 09 December 2021”, [No. ICC-01/14-01/21-223-Conf](#), 21 December 2021.

¹⁹ See the “Order Scheduling the First Status Conference” (Trial Chamber VI), [No. ICC-01/14-01/21-226](#), 14 January 2022.

²⁰ See the transcript of the hearing held on 28 January 2022, [No. ICC-01/14-01/21-T-007-CONF-ENG](#) and [No. ICC-01/14-01/21-T-007-Red-ENG](#), p. 47, lines 12-24

²¹ See the “Decision Setting the Commencement Date of the Trial and Related Deadlines” (Trial Chamber VI), [No. ICC-01/14-01/21-243](#), 21 February 2022.

18. On 9 March 2022, the Chamber issued the “Directions on the Conduct of Proceedings”.²²

19. On 13 April 2022, the Chamber issued the “Decision on matters relating to the participation of victims during the trial”, in which it, *inter alia*, adopted an amended version of the victim admission system endorsed by the Single Judge, in light of the expected low number of applications in the present case.²³

20. On 20 April 2022, the Chamber issued the “Decision on Prosecution Notification regarding the Charges (ICC-01/14-01/21-262-Red)” (the “Notification Decision”),²⁴ ruling that “*the scope of the charged crimes in this case is limited to the specific criminal acts listed by the Pre-Trial Chamber in paragraph 29 of the Confirmation Decision*”.²⁵

21. On 27 May 2022, pursuant to its “Decision on matters relating to the participation of victims during the trial”,²⁶ and following the submission of the “First Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”,²⁷ the Chamber authorised 20 victims to participate in the proceedings.²⁸

22. On 8 July 2022, the Pre-Trial Chamber issued the “Decision on the ‘Prosecution’s application to amend the charges’”,²⁹ recalling that “*the extent of the victimisation in connection with the confirmed charges [is] broader than the individual examples it specifically mentioned in the operative part of the Confirmation Decision*”,³⁰ and

²² See the “Directions on the Conduct of Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-251](#), 9 March 2022.

²³ See the “Decision on matters relating to the participation of victims during the trial” (Trial Chamber VI), [No. ICC-01/14-01/21-278](#), 13 April 2022.

²⁴ See the “Decision on Prosecution Notification regarding the Charges (ICC-01/14-01/21-262-Red)” (Trial Chamber VI), [No. ICC-01/14-01/21-282](#), 20 April 2022.

²⁵ *Idem*, para. 17.

²⁶ See the “Decision on matters relating to the participation of victims during the trial”, *supra* note 23.

²⁷ See the “First Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-297](#), 6 May 2022.

²⁸ See the “Decision authorising 20 victims to participate in the proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-331](#), 27 May 2022.

²⁹ See the “Decision on the ‘Prosecution’s application to amend the charges’” (Pre-Trial Chamber II), [No. ICC-01/14-01/21-396](#), 8 July 2022.

³⁰ *Idem*, para. 20.

accordingly concluding that “ [...] *the charges as confirmed allow for the exercise by Trial Chamber VI of its powers and functions relevant to the assessment of the evidence relating to the additional material facts and circumstances relevant to the confirmed crimes indicated in the Application, which, as anticipated by the Prosecution, will in any event be presented at trial*”.³¹

23. On 13 July 2022, the Registry submitted its “Second Registry Assessment Report on Victim Applications for Participation in Trial Proceedings” on 19 complete applications to participate in the present case, assessing 14 of them to fall in Group A and five in Group C.³²

24. On 21 July 2022, the Registry submitted the “Registry Report in Relation to the Legal Representation of Victims in Trial Proceedings”,³³ informing the Chamber that victims authorised to participate, as well as those victims whose applications for participation were pending before the Chamber at that time, had chosen OPCV Counsel (the “Common Legal Representative of Victims”) to represent them in the trial proceedings, thus organising their own legal representation in application of rule 90(2) of the Rules.³⁴

25. On 6 September 2022, the Chamber issued the “Decision on the scope of the charges”, reaffirming its position as set out in the Notification Decision that the scope of the charged crimes in the present case is confined to the specific incidents enumerated by the Pre-Trial Chamber in paragraph 29 of the operative part of the Confirmation Decision.³⁵

³¹ *Idem*, para. 27.

³² See the “Second Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-405-Conf](#) and [No. ICC-01/14-01/21-405-Red](#), 13 July 2022.

³³ See the “Registry Report in Relation to the Legal Representation of Victims in Trial Proceedings”, [No. ICC-01/14-01/21-424](#), 22 July 2022 (dated 21 July 2022).

³⁴ *Idem*, para. 19.

³⁵ See the “Decision on the scope of the charges” (Trial Chamber VI), [No. ICC-01/14-01/21-472](#), 6 September 2022.

26. On 12 September 2022, the Registry submitted its “Third Registry Assessment Report on Victim Applications for Participation in Trial Proceedings” on three applications assessed as falling in Group A.³⁶

27. On 16 September 2022, the Chamber issued the “Additional Directions on the Conduct of Proceedings”.³⁷

28. On 26 September 2022, the trial of Mr Saïd commenced.³⁸

29. On 27 September 2022, the Chamber issued an order instructing the Registry *“to reassess all applications that it had previously classified as Group A, including those authorised to participate in the First Decision”*.³⁹

30. On 11 October 2022, the Registry submitted the “Updated Registry Assessment Report on Previously Transmitted Victim Applications for Participation in Trial Proceedings”,⁴⁰ in which it indicated that, of the 37 applications assessed as falling in Group A so far, 25 remained in Group A, four were to be classified as falling in Group C, and eight required additional information in order to determine under which category they fall (the “Incomplete Applications”).

31. On 8 November 2023, the Chamber issued the “Second Decision Authorising Victims to Participate in the Proceedings”,⁴¹ authorising 30 victims and denying four victims to participate in the proceedings, and ordering the Registry to provide an update on the status of the Incomplete Applications by 20 November 2023 at the latest.

³⁶ See the “Third Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-478](#), 13 September 2022 (dated 12 September 2022).

³⁷ See the “Additional Directions on the Conduct of Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-479](#), 16 September 2022.

³⁸ See the transcript of the hearing held on 26 September 2022, [No. ICC-01/14-01/21-T-010-ENG](#).

³⁹ See the “Order for the Reassessment of Victims Applications” (Trial Chamber VI), [No. ICC-01/14-01/21-490](#), 27 September 2022, para. 8.

⁴⁰ See the “Updated Registry Assessment Report on Previously Transmitted Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-498](#), 11 October 2022.

⁴¹ See the “Second Decision Authorising Victims to Participate in the Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-640-Conf](#) and [No. ICC-01/14-01/21-640-Red](#), 8 November 2023.

32. On 20 November 2023, the Registry submitted its “Report on the Status of Eight Incomplete Victim Applications for Participation in Trial Proceedings”, reassessing five applications as falling in Group C.⁴²

33. On 29 January 2024, the evidentiary hearings recommenced, concluding a suspension that had lasted nearly twelve months.⁴³

34. On 14 February 2024, the Chamber issued its “Third Decision Authorising Victims to Participate in the Proceedings”, denying victim a/70286/22 and four other victims to participate in the proceedings.⁴⁴

35. On 16 April 2024, the Common Legal Representative of Victims submitted a request for reconsideration of the Chamber’s decision denying victim a/70286/22 authorisation to participate in the proceedings.⁴⁵

36. On 19 April 2024, the Registry submitted its “Sixth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, assessing one application as falling in Group A.⁴⁶

37. On 22 July 2024, the Chamber issued its “Fourth Decision Authorising Victims to Participate in Proceedings”, authorising one victim to participate in the proceedings.⁴⁷

38. On 24 July 2024, the Chamber issued the “Decision on Common Legal Representative’s request for reconsideration of Trial Chamber VI’s decision denying

⁴² See the “Report on the Status of Eight Incomplete Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-650](#), 20 November 2023.

⁴³ See the transcript of the hearing held on 29 January 2024, [No. ICC-01/14-01/21-T-048-CONF-ENG](#) and [No. ICC-01/14-01/21-T-048-Red2-ENG](#), p. 2, lines 22-24.

⁴⁴ See the “Third Decision Authorising Victims to Participate in the Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-695-Conf](#) and [No. ICC-01/14-01/21-695-Red](#), 14 February 2024.

⁴⁵ See the “Common Legal Representative’s request for reconsideration of Trial Chamber VI’s decision denying Victim a/70286/22 authorisation to participate in the proceedings”, [No. ICC-01/14-01/21-744-Conf-Exp](#), [No. ICC-01/14-01/21-744-Conf-Red2](#) and [No. ICC-01/14-01/21-744-Red](#), 16 April 2024.

⁴⁶ See the “Sixth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-748](#), 19 April 2024.

⁴⁷ See the “Fourth Decision Authorising Victims to Participate in Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-812](#), 22 July 2024.

Victim a/70286/22 authorisation to participate in the proceedings”, rejecting said request.⁴⁸

39. On 8 October 2024, the Chamber issued the “Third Directions on the Conduct of Proceedings”,⁴⁹ ordering, *inter alia*, the Common Legal Representative of Victims to request leave of the Chamber by 22 October 2024 if individual victims wished to make statements presenting their views and concerns at trial.⁵⁰

40. On 18 October 2024, the Common Legal Representative of Victims informed the Chamber that she would not request leave to call victims to present views and concerns at trial.⁵¹

41. On 7 November 2024, the Registry submitted its “Seventh Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, assessing one application as falling in Group A.⁵²

42. On 15 November 2024, the Prosecution formally closed its presentation of evidence.⁵³

43. On 13 December 2024, the Chamber issued its “Fifth Decision Authorising Victims to Participate in the Proceedings”, authorising one victim to participate in the proceedings and inviting applicants to complete their applications by 14 March 2025.⁵⁴

⁴⁸ See the “Decision on Common Legal Representative’s request for reconsideration of Trial Chamber VI’s decision denying Victim a/70286/22 authorisation to participate in the proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-813](#), 24 July 2024.

⁴⁹ See the “Third Directions on the Conduct of Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-873](#), 8 October 2024.

⁵⁰ *Idem*, para. 8.

⁵¹ See the “Victims’ observations pursuant to the Third Directions on the Conduct of Proceedings”, [No. ICC-01/14-01/21-879](#), 18 October 2024.

⁵² See the “Seventh Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-890](#), 7 November 2024 (dated 6 November 2024).

⁵³ See the “Notice of the Conclusion of the Prosecution’s Presentation of Evidence”, [No. ICC-01/14-01/21-895](#), 15 November 2024.

⁵⁴ See the “Fifth Decision Authorising Victims to Participate in the Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-906](#), 13 December 2024.

44. On 5 March 2025, the Chamber issued the “Fourth Directions on the Conduct of Proceedings”,⁵⁵ *inter alia*, instructing the Prosecution and the Common Legal Representative of Victims to submit their closing briefs two weeks after the closure of the evidentiary phase of the proceedings.⁵⁶

45. On 21 March 2025, the Registry submitted its “Eighth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, assessing 25 applications as falling in Group B.⁵⁷

46. On 9 April 2025, the Chamber issued its “Sixth Decision on Victims’ Participation”, in which it declined to grant participatory rights in the proceedings to 25 victims.⁵⁸

47. On 2 September 2025, the Defence formally closed its presentation of evidence.⁵⁹

48. On 8 September 2025, the Prosecution notified the Chamber that it does not intend to seek leave to present evidence in rebuttal.⁶⁰

49. On 9 September 2025, the Chamber declared the evidentiary phase of the proceedings closed pursuant to rule 141 of the Rules, directing the Prosecution and the Common Legal Representative of Victims to file their closing briefs no later than two weeks from the notification of said declaration.⁶¹

⁵⁵ See the “Fourth Directions on the Conduct of Proceedings” (Trial Chamber VI), [No. ICC-01/14-01/21-932](#), 5 March 2025.

⁵⁶ *Idem*, para. 21.

⁵⁷ See the “Eighth Registry Assessment Report on Victim Applications for Participation in Trial Proceedings”, [No. ICC-01/14-01/21-947](#), 21 March 2025.

⁵⁸ See the “Sixth Decision on Victims’ Participation” (Trial Chamber VI), [No. ICC-01/14-01/21-960](#), 9 April 2025.

⁵⁹ See the “Notification par la Défense de Monsieur Said de la clôture de son cas”, [No. ICC-01/14-01/21-1020](#), 2 September 2025.

⁶⁰ See the email from the Prosecution to the Chamber, the Defence, and the Common Legal Representative entitled “Provision of information in relation to evidence in rebuttal”, 8 September 2025 at 14:22.

⁶¹ See the “Declaration on the Closure of the Presentation of Evidence” (Trial Chamber VI), [No. ICC-01/14-01/21-1025](#), 9 September 2025.

50. On 19 September 2025, following a request by the Prosecution for an extension of time of one week,⁶² the Chamber extended the deadline for the submission of the closing briefs from 23 to 25 September 2025.⁶³

⁶² See the joint email from the Defence and the Prosecution to the Chamber and the Common Legal Representative entitled "*Mémoires finaux / Demande conjointe de pages additionnelles / Demande de délai de l'Accusation*", 17 September 2025 at 14:02.

⁶³ See the "Further Directions in Relation to the Closing Briefs" (Trial Chamber VI), [No. ICC-01/14-01/21-1026](#), 19 September 2025.