

Annex 1

Public Redacted

01/05/2026 12:37

Fwd: Re: Information on Disciplinary Sanctions

To TrialChamberVICommunications [REDACTED] Copy

OTR.CounselSupportSection [REDACTED]

Office of the Director DJSS [REDACTED] ChamberDecisionsCommunication [REDACTED]

[REDACTED] trialchambervicommunications [REDACTED]

Dear colleagues in Trial Chamber VI,

In addition to the information provided below, the Registry confirms that Mr Said has accepted to meet with CSS on Monday morning at 10.00hrs. We will keep the Chamber informed of the outcome of that meeting.

Kind regards,
[REDACTED]

----- Original Message -----

From: [otr.counselsupportsection](#) [REDACTED]To: [TrialChamberVICommunications](#) [REDACTED]

CC: [REDACTED]

[REDACTED] Office of the Director DJSS

[ChamberDecisionsCommunication](#) [REDACTED][OTR.CounselSupportSection](#) [REDACTED]

Date: 30/04/2026 16:23 CEST

Subject: Re: Information on Disciplinary Sanctions

Dear colleagues in Trial Chamber VI,

The Registry appreciates the information provided by the Chamber in relation to hearings, filing deadlines and procedural steps.

With regard to the Chamber's instruction for observations from the Registry on 'the plans for ensuring Mr Said's effective representation in light of the Disciplinary Appeals Board's decision' the Registry informs the Chamber as below. Kindly accept our apologies for the slight delay.

Preliminary observations

In relation to the implementation of a Disciplinary Appeals Board's ("DAB") decision the Registry observes that regulation 73(2) of the Regulations of the Court ("RoC") provides that "[t]he Registrar may appoint duty counsel if a person requires legal assistance and has not yet secured that assistance, or when his or her counsel is unavailable and has consented to the appointment of duty counsel." Notably, the Registry considers that the scope and conditions of this provision in the context of a disciplinary suspension of counsel have not been judicially confirmed. In addition, as per this provision, an explicit consent of Mr Said to the appointment of duty counsel would be required.

Furthermore, the Court's legal framework contains no specific provision governing the handover process between suspended counsel and a replacement counsel in a disciplinary case. In accordance with article 15(2) of the Code of Professional Conduct for Counsel ("Code"), "[w]hen counsel is discharged from or terminates the agreement, he or she shall convey as promptly as possible to the former client or replacement counsel any communication that counsel received relating to the representation, without prejudice to the duties which subsist after the end of the representation." Even though, the suspension is temporary in nature, Ms Naouri would still be required to provide a replacement counsel any communication received relating to the representation of Mr Said, as well as "the entire case file, including any material or document relating to it" as required under article 18(5) of the Code.

Both of these elements are taken into consideration as a starting point in order to ensure a proper implementation of the DAB decision, and of any decision by Trial Chamber VI as to the date of implementation of the DAB's decision, and in order to safeguard the rights of Mr Said, to facilitate the continuance of his effective and efficient representation before the Court, and to also put the relevant administrative procedures in motion vis-a-vis a potential replacement Counsel and Ms Naouri and the application of the Code and the Legal Aid Policy ("LAP").

Current composition of the Defence team

The defense team for Mr Said is currently composed as follows and in compliance with the applicable provisions under the LAP, operates at Complexity Level II (in accordance with paragraphs 28 and 59 of the LAP) and on the basis of a period of reduced activity (in accordance with paragraph 73 of the LAP):

1 Counsel 100%

1 Associate Counsel 100%

2 Legal Assistants 100% each

1 Case Manager 50%

Actions taken by the Registry

From recent experience, therefore, in relation to the plans for ensuring Mr Said's effective representation, the Registry *has undertaken* the following action:

1) A meeting was held yesterday between [REDACTED]

From this meeting it was learned that:

i. [REDACTED]

ii.

iii.

2) Following the instruction in the DAB's decision, a meeting is being scheduled with Mr Said to inform Mr Said of the misconduct decision.

At this time, it is yet to be confirmed [REDACTED]
During this meeting the Registry would explain the outcome of the disciplinary decision to Mr Said [REDACTED]

Finally, the Registry would confirm to him that the sanction imposed on Ms Naouri shall not have an adverse impact on him or any other defense team member.

Next steps

The specific next steps will depend on the outcome of the meeting with Mr Said and different scenarios may be envisaged:

Scenario 1-

Scenario 2-

Scenario 3 –

[REDACTED]

In any event, any new appointment would be treated with priority by the Registry under the circumstances.

Effective date of implementation of the DAB's decision

The Registry remains available to conduct further consultations with the Chamber, provide further information or clarification to the Chamber, and implement the DAB's decision at a date to be confirmed by the Chamber, or take any other measure as the Chamber may deem appropriate.

Kind regards,

CSS

On 29/04/2026 17:20 CEST [otr.counselsupportsection](#) [REDACTED] wrote:

Dear colleagues in Trial Chamber VI,

We have taken note of the instructions and we will proceed accordingly.

Thank you.

Kind regards,

CSS

On 29/04/2026 11:12 CEST [trialchambervicommunications](#) [REDACTED] wrote:

Dear Registry,

The Chamber has taken note of the transmission of the Disciplinary Appeals Board's decision.

The Chamber notes that there are no imminent hearings, filing deadlines or procedural steps which would be affected by Ms Naouri's suspension.

The Chamber has received a request from Lead Counsel to delay her suspension (ICC-01/14-01/21-1047). Before adjudicating on that request, the Chamber wishes to receive observations from the Registry on the plans for ensuring Mr Said's effective representation in light of the Disciplinary Appeals Board's decision.

Accordingly, the Chamber instructs the Registry to submit such observations no later than 4pm tomorrow (Thursday, 30 April 2026).

Kind regards,
Trial Chamber VI

On 28/04/2026 16:55 CEST [otr.counselsupportsection](mailto:otr.counselsupportsection@icc-cpi.int) wrote:

CONFIDENTIAL

Dear colleagues in Trial Chamber VI,

Please kindly inform the judges of Trial Chamber VI of the following.

On 24 April 2026, the Disciplinary Appeals Board of the International Criminal Court ("DAB") issued the confidential "Décision relative à l'appel interjeté par Mme Jennifer Naouri contre la décision du Comité de discipline en date du 11 avril 2025 (SDO-2025-099)" ("Misconduct Decision" or "Decision"). In the Misconduct Decision, the DAB has instructed "the Registrar to inform the Chambers of the Court before which Counsel is currently acting" and "to consult them before taking the necessary measures with a view to implementing the present decision". With the authorisation of the DAB a copy of the decision is attached for your information.

On 11 April 2025, the Disciplinary Board issued an oral decision finding that Ms Naouri had committed misconduct in violation of Articles 5, 7-1 and 24-1 of the Code of Professional Conduct for counsel ("Code"), and sanctioned her with a suspension of the right to practise before the Court for a period of 18 months, pursuant to Article 42-1-d of the Code. The written decision was issued on 2 May 2025. The Misconduct Decision issued by the DAB has now confirmed the 18-month suspension.

In addition, paragraph 129(ix) of the Misconduct Decision instructs the Registrar to inform Mr Said, and paragraph 129(ix), issues the date of 4 May as the date on which the sanction is to come into effect, unless otherwise ordered by a Chamber.

As Ms Naouri is currently acting as Counsel for Mr Said in the current proceedings before the Chamber, the suspension of her right to practise before the Court means that she will be unable to act in that capacity for the duration of the suspension period.

As the Misconduct Decision instructs the Registrar to inform the Chambers before which Counsel currently practises and to consult them before taking the necessary steps to implement the Decision, the Registry hereby wishes to engage in consultation with the Chamber on the following matters:

(i) The current status of proceedings and any imminent hearings, filing deadlines, or procedural steps that would be affected by Ms Naouri's temporary suspension.

(ii) Any directions the Chamber may wish to give regarding the implementation of the Misconduct Decision.

(iii) Any directions the Chamber may wish to give regarding the effective date of implementation of the Misconduct Decision.

(iv) Any directions the Chamber may wish to give regarding the appointment of a duty counsel in the event that any issues regarding the confirmation of a new counsel for Mr Said are not resolved by 4 May 2026 or any other date to be considered as the effective date of implementation as may be decided by the Chamber.

At this time, the Registry is contacting Ms Naouri, and will schedule a meeting with Mr Said. Any measures giving effect to the suspension will only be implemented following guidance by the Chamber.

Please do not hesitate to contact us for any further information.

Kind regards,

CSS