

Trial Hearing
Procedural Matters

(Open Session)

ICC-01/14-01/21

1 International Criminal Court
2 Trial Chamber VI
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21
5 Presiding Judge Miatta Maria Samba, Judge Maria del Socorro Flores Liera
6 and Judge Sergio Gerardo Ugalde Godinez
7 Trial Hearing - Courtroom 2
8 Friday, 28 October 2022
9 (The hearing starts in open session at 9.33 a.m.)
10 THE COURT USHER: [9:33:21] All rise. The International Criminal Court is now in
11 session. Please be seated.
12 PRESIDING JUDGE SAMBA: [9:33:47] Good morning, everyone.
13 Madam Court Officer, can you please mention the case.
14 THE COURT OFFICER: [9:33:54] Good morning, Madam President, your Honours.
15 This is the situation in the Central African Republic II, in the case of The Prosecutor
16 versus Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
17 And for the record, we are in open session.
18 PRESIDING JUDGE SAMBA: [9:34:12] Thank you very much.
19 Can I ask the parties to introduce themselves, please.
20 MS MAKWAIA: [9:34:17] May it please the Court. For the Office of the Prosecutor this
21 morning, myself, Holo Makwaia, Leonie von Braun, and Yuichiro Omori. Thank you,
22 Madam President, your Honours.
23 PRESIDING JUDGE SAMBA: [9:34:28] Thank you very much.
24 For the victims, please.
25 MS BEDOUCHA: [9:34:31](Interpretation) Thank you, Madam President. For the

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1 victims, Tars Van Litsenborgh and, myself, Adeline Bedoucha, for the Office of the
2 Public Counsel for Victims.

3 PRESIDING JUDGE SAMBA: [9:34:49] Thank you very much.

4 Ms Naouri, for the Defence, please.

5 MS NAOURI: [9:34:52](Interpretation) Thank you, Madam President. I have Maître

6 Jacobs, Simon Appriou, and then we have Léa Allix, Capucine Banet, and, myself,

7 Jennifer Naouri, lead counsel.

8 PRESIDING JUDGE SAMBA: [9:35:11] Thank you, Ms Naouri.

9 Rule 74 counsel, please.

10 MR RAIMONDO: [9:35:18](Interpretation) Good morning, Madam President and your

11 Honours. Fabián Raimondo, Rule 74 counsel.

12 PRESIDING JUDGE SAMBA: [9:35:23] Thank you very much.

13 And for the record, I note that Mr Said is in court.

14 Good morning, Mr Said.

15 MR SAID: [9:35:33](Interpretation) Yes. Good morning, Madam President.

16 PRESIDING JUDGE SAMBA: [9:35:39] Yes.

17 WITNESS: CAR-OTP-P-2105 (On former oath)

18 (The witness speaks French)

19 PRESIDING JUDGE SAMBA: [9:35:42] Good morning, Mr Witness.

20 THE WITNESS: [9:35:44](Interpretation) Good morning.

21 PRESIDING JUDGE SAMBA: [9:35:47] Well, I hope you had a restful night, and thank
22 you for your cooperation in yesterday's exercise.

23 THE WITNESS: [9:36:01](Interpretation) Yes, everything is fine.

24 PRESIDING JUDGE SAMBA: [9:36:04] Good. You're still on oath. So Ms Naouri is
25 going to continue putting questions to you, and thanks for your cooperation.

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1 Ms Naouri, your witness, please.

2 MS NAOURI: [9:36:22](Interpretation) Thank you, Madam President.

3 QUESTIONED BY MS NAOURI: (Continuing)(Interpretation)

4 Q. [9:36:27] Good morning, Mr Witness.

5 A. [9:36:30] Good morning.

6 MS NAOURI: [9:36:31](Interpretation) I would like to go into private session for my
7 next series of questions. Is that okay?

8 PRESIDING JUDGE SAMBA: [9:36:35] Thank you very much, Ms Naouri. I was just
9 going to inform you that we are in open session.

10 So, Madam Court Officer, can you please get us into private session. Thank you.

11 (Private session at 9.36 a.m.)

12 THE COURT OFFICER: [9:36:57] We are in private session, Madam President.

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- 5 (Recess taken in private session at 10.59 a.m.)
- 6 (Upon resuming in open session at 11.33 a.m.)
- 7 THE COURT USHER: [11:33:03] All rise. Please be seated.
- 8 PRESIDING JUDGE SAMBA: [11:33:24] Good morning, again. We'll continue with the
- 9 cross-examination.
- 10 Ms Naouri, please. Continue, please.
- 11 MS NAOURI: [11:33:34](Interpretation) Thank you, Madam President.
- 12 Q. [11:33:37] Hello again, Mr Witness. So let's go back to where we were before the
- 13 break.
- 14 MS NAOURI: [11:33:48](Interpretation) We are in open session, are we not? So I'd like
- 15 to ask you if we could please go into private session.
- 16 PRESIDING JUDGE SAMBA: [11:33:56] We certainly could.
- 17 Madam Court Officer, could we go now into private session.
- 18 (Private session at 11.34 a.m.)
- 19 THE COURT OFFICER: [11:34:11] We are in private session, Madam President.
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- 12 (Recess taken in private session at 1.01 p.m.)
- 13 (Upon resuming in open session at 2.31 p.m.)
- 14 THE COURT USHER: [14:31:40] All rise. Please be seated.
- 15 PRESIDING JUDGE SAMBA: [14:31:58] Good afternoon, everyone. We're in open
- 16 session now.
- 17 Ms Naouri, would you want for us to go into private session before we start? Okay.
- 18 Madam Court Officer, can we get into private session, please.
- 19 (Trial Chamber and court officer confer)
- 20 PRESIDING JUDGE SAMBA: [14:35:43] I'm sorry, I'll have to grant a standdown. And
- 21 when the technical issues are solved or resolved, the court officer will call us in again.
- 22 Thank you.
- 23 (Recess taken at 2.35 p.m.)
- 24 (Upon resuming in closed session at 2.43 p.m.)
- 25 (Redacted)

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Trial Hearing
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(Closed Session)

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- 15 (The hearing adjourned in closed session at 4.04 p.m.)