



Original: **English**

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

Date: **13 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 and D

Prosecution's Communication of the Disclosure of Evidence on 12 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
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
Tars Van Litsenborgh

**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 12 May 2022, the Prosecution disclosed to the Defence of Mahamat Said Abdel Kani “Pre-Trial INCRIM package 066” containing 39 items, “Pre-Trial Rule 77 package 033” containing 184 items, “Pre-Trial Other package 011” containing 60 items and “Pre-Trial re-classification to INCRIM package 004” containing 6 items.

4. The disclosure of “Pre-Trial INCRIM package 066” 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 witness documents, email communications and victim complaints.

5. The disclosure of “Pre-Trial Rule 77 package 033” consists of witness documents and non-witness related evidence deemed material to the preparation of the Defence. This package contains documents related to witnesses P-0902, P-0903, P-0904, P-0905, P-0906, P-0907, P-0908 and P-1362. In addition, it includes press articles, audio-video material, reports, legislation, correspondence, tables, transcripts, translations and photographs.

6. The disclosure of “Pre-Trial Other package 011” consists of documents related to witnesses P-0311, P-1481, P-1483, P-1489, P-1495, P-2043, P-2054, P-2141, P-2142, P-

2237, P-2244, P-2288, P-2289, P-2345, P-2429, P-2436, P-2520, P-2586, P-2999, P-0409, P-1592, P-1792, P-1476 and P-1082. The Prosecution provides these items for the sake of completeness as part of its ongoing review of the evidence and under the legal classification of “Other” as they do not obviously include information material to the preparation of the Defence under rule 77 of the Rules of Procedure and Evidence.

7. The disclosure of “Pre-Trial re-classification to INCRIM package 004” 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.

Karim A. A. Khan QC, Prosecutor

Dated this 13th day of May 2022
At The Hague, The Netherlands