



Original: English

No. ICC-01/14-01/18

Date: 1 June 2020

TRIAL CHAMBER V

Before: Judge Bertram Schmitt, Presiding Judge
Judge Péter Kovács
Judge Chang-ho Chung

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

**IN THE CASE OF
*THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD
NGAISSONA***

Public

**Decision on the Yekatom Defence Motion for Disclosure of
Draft Witness Statements**

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Fatou Bensouda
James Stewart
Kweku Vanderpuye

Counsel for the Alfred Yekatom

Mylène Dimitri
Peter Robinson

Counsel for Patrice-Edouard Ngaïssona

Geert-Jan Alexander Knoops

Legal Representatives of Victims

Abdou Dangabo Moussa
Elisabeth Rabesandratana
Yaré Fall
Marie-Edith Douzima-Lawson
Paolina Massidda
Dmytro Suprun

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

The Office of Public Counsel for Victims

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

TRIAL CHAMBER V of the International Criminal Court in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Article 67(2) of the Rome Statute (the ‘Statute’) and Rules 76(1), 77 and 111 of the Rules of Procedure and Evidence (the ‘Rules’), issues this ‘Decision on the Yekatom Defence Motion for Disclosure of Draft Witness Statements’.

I. Procedural history and submissions

1. On 20 August 2019, the Yekatom Defence (the ‘Defence’) requested Pre-Trial Chamber II (the ‘PTC II’) to order the Office of the Prosecutor (the ‘Prosecution’) to disclose ‘all information received from its witnesses concerning the subject matter of their testimony, as reflected in [...] draft or unsigned statements’, pursuant to Rule 76 of the Rules (the ‘Initial Motion’).¹
2. On 27 August 2019, the Prosecution responded to the Initial Motion, submitting that the Defence’s request for disclosure of draft or unsigned witness statements was ‘overly broad’.² The Prosecution also submitted that while it ‘generally disclosed [...] information [such as interviewer’s notes or email correspondence with the witness] under rule 77, as P[exo], or as I[ncrim]’, draft statements were ‘not generally disclosable in that they are not final and have not been signed or ratified by the Witness’.³
3. On 3 September 2019, PTC II issued a decision whereby, regarding items of evidence such as ‘draft or unsigned statements’, it instructed (i) the Defence, ‘to provide to the Prosecution references to any specific material that, in its view, falls within the scope of rule 76 of the Rules, as soon as possible’, and (ii) the Prosecution, ‘to verify whether [it] has in [its] possession any additional material that may fall within rule 76 of the Rules, and if so, to disclose it to the Defence’, setting specific deadlines for each party to comply with these

¹ Motion for Disclosure of Rule 76 Material, ICC-01/14-01/18-285-Conf (public redacted version notified the same day, ICC-01/14-01/18-285-Red), paras 27, 31.

² *Corrigendum* of ‘Prosecution’s Response to the Yekatom Defence’s Motion for Disclosure of rule 76 Material’, 27 August 2019, ICC-01/14-01/18-295-Conf, ICC-01/14-01/18-295-Conf-Corr (with an annex) (*corrigendum* and annex notified on 11 September 2019) (the ‘Initial Response’), para. 10.

³ Initial Response, ICC-01/14-01/18-295-Conf-Corr, para. 11.

instructions.⁴ In its decision, PTC II also encouraged the parties to ‘engage in *inter partes* discussions as necessary to facilitate any additional disclosure of rule 76 material’.⁵

4. On 30 April 2020, the Defence requested the Chamber to order the Prosecution to ‘disclose all draft statements in its possession for witnesses it intends to call to testify’ (the ‘Motion’).⁶ The Defence submits that it had requested the Prosecution to disclose the ‘draft witness statements’ during *inter partes* consultations, to which the latter answered by ‘stating that it would comply with its disclosure obligations’.⁷ According to the Defence, the Prosecution declined to disclose any draft statements in subsequent *inter partes* consultations.⁸
5. In its Motion, the Defence firstly submits that the Appeals Chamber has held that ‘the ordinary meaning of the term “statement” as used in rule 76 is broad and requires the Prosecutor to disclose any prior statements, irrespective of the form in which they are recorded’.⁹ Secondly, it argues that, to the extent that investigators’ notes of interviews with Prosecution witnesses have been held to come within the meaning of Rule 76 of the Rules, so should draft versions of witness statements, as both ‘represent the investigator’s understanding of what the witness has said’.¹⁰ Thirdly, the Defence contends that these drafts may show inconsistencies of witnesses or specific parts of their statements to which they drew their attention, and also ‘show how the witness’s version has evolved’.¹¹ Finally, the Defence submits that jurisprudence from other international tribunals supports its position.¹²
6. On 11 May 2020, the Prosecution responded to the Motion, requesting the Chamber to reject it based on the grounds that (i) Rule 76(1) of the Rules does

⁴ Decision on the Defence Motion for an Extension of Time to File List of Evidence and Related Motions, ICC-01/14-01/18-315-Conf (public redacted version notified on 3 February 2020, ICC-01/14-01/18-315-Red) (the ‘PTC II Decision’), para. 41, p. 26.

⁵ PTC II Decision, ICC-01/14-01/18-315-Red, para. 41.

⁶ Motion for Disclosure of Draft Witness Statements, ICC-01/14-01/18-500, para. 11.

⁷ Motion, ICC-01/14-01/18-500, para. 5, n. 4.

⁸ Motion, ICC-01/14-01/18-500, para. 5, n. 4.

⁹ Motion, ICC-01/14-01/18-500, para. 8.

¹⁰ Motion, ICC-01/14-01/18-500, para. 9.

¹¹ Motion, ICC-01/14-01/18-500, para. 9.

¹² Motion, ICC-01/14-01/18-500, para. 10.

not create a general obligation to disclose draft statements, (ii) the Motion does not show that the Prosecution has failed to comply with its disclosure obligations under Rule 76 of the Rules, and (iii) the Motion is premature at this stage of proceedings (the ‘Response’).¹³

7. The Prosecution first argues that the ‘incomplete’ or ‘earlier’ versions of witness statements as prepared by Prosecution investigators ‘do not amount to “prior statements made by those witnesses” unless and until such witnesses accept or acknowledge their contents’, which they do by way of signing such statements.¹⁴ According to the Prosecution, this would meet the ‘due procedure’ requirement established for witness statements under the ICTY and the Court’s case law, which would be equivalent, at the Court’s statutory framework, to the requirements established under Rule 111 of the Rules (notably, that records of questionings ‘shall be signed [...] by the person who is questioned’).¹⁵ The Prosecution further argues that an unsigned draft cannot be attributed to a witness for ‘good practical reasons’ related to the way in which the Prosecution investigators conduct the interviews.¹⁶ The Prosecution finally contends that, contrary to the Defence’s submissions, ‘no international criminal jurisprudence persuasively supports a general, open-ended obligation under rule 76(1) to disclose draft versions of a witness’s statement’.¹⁷
8. Second, the Prosecution submits that the ‘rare instances’ in international criminal jurisprudence in which the Prosecution has been ordered to disclose earlier versions of witness statements or analogous documents have been ‘case-specific’ and ‘based on a *prima facie* showing that the Prosecution has fallen short of its disclosure obligations on grounds *other* than merely that the statement at issue was a “prior statement”, as rule 76 contemplates’.¹⁸ The Prosecution submits, *inter alia*, that its approach to taking statements, under Rule 111 of the Rules, ensures that a faithful record of the witness’s account is

¹³ Prosecution’s Response to Yekatom Defence’s Motion for Disclosure of Draft Witness Statements (ICC-01/14-01/18-500), ICC-01/14-01/18-511, paras 1, 13, 18.

¹⁴ Response, ICC-01/14-01/18-511, paras 2-3.

¹⁵ Response, ICC-01/14-01/18-511, paras 3-5.

¹⁶ Response, ICC-01/14-01/18-511, para. 6.

¹⁷ Response, ICC-01/14-01/18-511, paras 7-8.

¹⁸ Response, ICC-01/14-01/18-511, para. 9.

recorded.¹⁹ It concludes that the Motion should be dismissed since Rule 76(1) does not contain a general rule requiring the disclosure of draft statements and because the Defence's Motion fails to demonstrate that the Prosecution has breached any obligation under this provision.²⁰

9. Third, the Prosecution submits that, considering that it has not finalised its list of witnesses for trial and that the Chamber has not yet set a disclosure deadline for the purposes of trial, the Motion is premature and should be denied 'on that basis alone'.²¹ On this point, it further incorporates its arguments 'as set out in its Response to Yekatom's Motion for Disclosure of Witness Statements in their original language, filed on 8 May 2020'.²²

II. Analysis

10. At the outset, the Chamber notes that the Motion concerns the drafts of statements of witnesses taken by the Prosecution pursuant to Rule 111 of the Rules.²³ This rule mandates that 'a record' of the 'formal statements' made by any person who is questioned in connection with an investigation or with proceedings, be made and signed.

A. Disclosure obligation under Rule 76(1) of the Rules

11. The Chamber recalls the Court's established jurisprudence that statements within the meaning of Rule 76 of the Rules are made when witnesses are questioned about their knowledge of the case in the course of an investigation.²⁴ The Chamber agrees with the Trial Chamber VII's finding in *The Prosecutor v.*

¹⁹ Response, ICC-01/14-01/18-511, para. 15.

²⁰ Response, ICC-01/14-01/18-511, para. 16.

²¹ Response, ICC-01/14-01/18-511, para. 17.

²² Response, ICC-01/14-01/18-511, para. 17.

²³ See Motion, ICC-01/14-01/18-500.

²⁴ See Appeals Chamber, *The Prosecutor v. Bosco Ntaganda*, Judgment on the appeal of Mr Bosco Ntaganda against the "Decision on Defence requests seeking disclosure orders and a declaration of Prosecution obligation to record contacts with witnesses", 20 May 2016, ICC-01/04-02/06-1330 (the '*Ntaganda* Appeals Judgment'), para. 16; Trial Chamber VI, *The Prosecutor v. Bosco Ntaganda*, Decision on Defence requests seeking disclosure orders and a declaration of Prosecution obligation to record contacts with witnesses, 16 October 2015, ICC-01/04-02/06-904 (the '*Ntaganda* TC Decision'), para. 29. See also Trial Chamber VII, *The Prosecutor v. Jean-Pierre Bemba Gombo et al.*, Decision on Request for Disclosure or Securing of Prior Statements Given by Prosecution Witnesses to Domestic Judicial Authorities and International Organisations, 9 September 2015, ICC-01/05-01/13-1227 (the '*Bemba et al.* TC Decision'), para. 9.

Jean-Pierre Bemba Gombo et al. that this definition of witness statements is also ‘[c]onsistent with the way other International Tribunals have defined statements for provisions analogous to Rule 76 of the Rules’.²⁵

12. The Chamber notes, however, that this is the first time that a Chamber of this Court has been seized of the question of whether draft statements of the same interview constitute ‘prior statements made by [that] witness[s]’ under Rule 76(1) of the Rules. It is for this reason that the Chamber will elaborate on the definitions provided for in the case law.
13. The Chamber notes that Trial Chamber I (the ‘TC I’), in *The Prosecutor v. Thomas Lubanga Dyilo*, made a distinction between (i) documents that ‘provide a certain record of the witness’s evidence approved by or coming from the witness’, and that witnesses themselves ‘have expressly agreed as reflecting their recollection of the relevant events’ (such as signed witness statements or an electronic recording of an interview); and (ii) those that provide ‘a personal record’ by the investigator of what the witness said (such as screening notes, investigator’s notes or unsigned witness statements).²⁶ Although TC I made this observation in the context of witness familiarisation, the Chamber also considers that ‘it is of assistance when considering [the present] issu[e]’, as noted by Trial Chamber III in *The Prosecutor v. Jean-Pierre Bemba Gombo*.²⁷
14. In this context, the Chamber also finds it crucial to recall the procedure applied during interviews of potential witnesses conducted pursuant to Rule 111 of the Rules, as described by the Prosecution. In particular, the Prosecution explains that the investigators interview the potential witness usually over the course of several days, in what it considers ‘an evolving process’, which must be recorded in ‘a coherent narrative’.²⁸ These interviews are often conducted with the help of interpretation, ‘which may call for subsequent clarification of the witness’s

²⁵ *Bemba et al.* TC Decision, ICC-01/05-01/13-1227, para. 9.

²⁶ Status Conference held on 16 January 2009, ICC-01/04-01/06-T-104-ENG (the ‘*Lubanga* Transcript of Hearing’), p. 24, line 19 to p. 25, line 2.

²⁷ Public redacted version of “Decision on the Defence Request for disclosure of pre-interview assessments and the consequences of non-disclosure” (ICC-01/05-01/08-750-Conf), 9 April 2010, ICC-01/05-01/08-750-Red, para. 32, referring to *Lubanga* Transcript of Hearing, ICC-01/04-01/06-T-104-ENG, p. 24, line 19 to p. 25, line 2.

²⁸ Response, ICC-01/14-01/18-511, para. 6.

responses or the investigators' questions'.²⁹ Therefore, the witness will answer the investigators' questions, potentially with the help of an interpreter, and the investigator will make a summary of his or her understanding of what the witness has said (the 'Initial Questioning').³⁰ This is different from a recording of the witness's answers when interviews are conducted pursuant to Rule 112 of the Rules, where the witness's own words are audio- or video-recorded and subsequently transcribed.

15. The Prosecution describes in its Response that, after the Initial Questioning, it is usually necessary to conduct a 'read-back procedure' to ensure that investigators, 'through follow-up questions or further clarifications, incorporate the witness's responses to fully reflect the meaning and content of their evidence', thereby providing 'an assurance that the witness is given a meaningful opportunity to review the contents of the statement in deciding whether to accept or adopt its final contents as their own' (the 'Read-back Procedure').³¹
16. In view of the above context, the Chamber considers it possible that linguistic misunderstandings, errors of interpretation or other types of errors, inaccuracies or omissions occur during the Initial Questioning of a witness, or that the summary of this questioning, which was produced by an investigator and not by the witness, does not accurately reflect what the witness said or meant to say. For this reason, the Read-back Procedure is crucial to allow witnesses to go through their answers – as captured by the investigator(s) –, in order to identify and correct any such misunderstandings, inaccuracies, errors or omissions.
17. In light of the above, the Chamber considers that the Read-back Procedure constitutes an integral part of conducting interviews with witnesses. It therefore finds that only upon completion of this procedure (*i.e.* after the witness had a chance to review what precisely is recorded in his or her 'formal statement' and agreed with its content), an investigator's summary of the witness's evidence

²⁹ Response, ICC-01/14-01/18-511, para. 6.

³⁰ Response, ICC-01/14-01/18-511, para. 6.

³¹ Response, ICC-01/14-01/18-511, para. 6.

qualifies as a ‘statemen[t] made by [that] witness[s]’ under Rule 76(1) of the Rules. The Chamber considers that, before this point, it is impossible (and certainly unfair to the witness) to assume that the content of a statement has been accepted by the witness as being true, accurate and, most importantly, as his or her own.

18. Consequently, the Chamber is of the view that ‘statements made by [...] witnesses’ within the meaning of Rule 76(1) of the Rules are made only when those witnesses are questioned about their knowledge of the case in the course of an investigation, and only once they accept or adopt it as their own knowledge. This understanding does not contradict the abovementioned Court’s jurisprudence, and is in line with the Appeals Chamber’s finding in *The Prosecutor v. Bosco Ntaganda* (the ‘*Ntaganda* case’) that the Prosecution’s disclosure obligations under Rule 76(1) of the Rules do not extend to statements that are completely unrelated to the witness’s knowledge of the case.³²
19. Moreover, it is in line with the Appeals Chamber’s finding in *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus* (the ‘*Banda and Jerbo* case’) that ‘[d]isclosure serves to inform the accused person of the prior statements and likely future testimony of the witnesses against him or her, thereby enabling him or her to prepare and to conduct his or her defence’.³³ The Chamber considers that prior statements show how the witness’s version of events has evolved, while draft witness statements cannot serve this purpose. Thus, the Chamber considers that its understanding adequately secures the accused’s rights by enabling him to access the statements which reflect the witness’s knowledge of the case (as confirmed by the witness), while excluding drafts, of which the content has not been accepted or adopted by the witness (and which, therefore, may not accurately reflect the witness’s knowledge of the case).

³² *Ntaganda* Appeals Judgment, ICC-01/04-02/06-1330, para. 27.

³³ *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*, Judgment on the appeal of the Prosecutor against the decision of Trial Chamber IV of 12 September 2011 entitled “Reasons for the Order on translation of witness statements (ICC-02/05-03/09-199) and additional instructions on translation”, 17 February 2012, ICC-02/05-03/09-295 (the ‘*Banda and Jerbo* Appeals Judgment’), para. 27. *See also* *Ntaganda* Appeals Judgment, ICC-01/04-02/06-1330, para. 26.

20. The Chamber's interpretation of 'statements made by [...] witnesses' pursuant to Rule 76(1) of the Rules is also not contradicted by the jurisprudence relied upon in the Motion. Notably, the Defence submits that a witness statement is a 'record of questions put to witnesses by the [P]rosecution and of the answers given', expressly referring to a finding of the ICTY Appeals Chamber in a judgment rendered in *The Prosecutor v. Eliézer Niyitegeka* (the '*Niyitegeka* Appeals Judgment').³⁴ While the Chamber agrees that witness statements indeed contain the questions asked by the investigator and the answers given by the witness, it is not of the view that previous or draft versions of the same interview, prepared during the Initial Questioning, constitute 'prior statements' made by that witness under Rules 76(1) of the Rules.
21. Relevantly, the *Niyitegeka* Appeals Judgment makes reference to the Read-back Procedure carried out with potential witnesses questioned by the ICTY Prosecution investigators, as follows:

As soon as possible after the interview has been given, the witness must have *the chance to read the record or to have it read out to him or her and to make the corrections he or she deems necessary* and then the witness must sign the record to attest to the truthfulness and correctness of its content to the best of his or her knowledge and belief.³⁵

22. The Chamber is further not convinced by the Defence's submission that the Appeals Chamber held in the *Banda and Jerbo* case that 'the ordinary meaning of the term "statement" as used in rule 76 is broad and requires the Prosecutor to disclose any prior statements, irrespective of the form in which they are recorded'.³⁶ The Chamber considers that the Defence is wrong in suggesting that draft statements (to which the Read-back Procedure has not yet been applied) fall under the above category of 'any prior statement, irrespective of its recording form'.³⁷ The Defence misinterprets the judgment rendered in the *Banda and Jerbo* case. This judgment referred only to the forms of recording

³⁴ Motion, ICC-01/14-01/18-500, para. 8, *referring to* ICTY, Appeals Chamber, *The Prosecutor v. Eliézer Niyitegeka*, Judgment, 9 July 2004, ICTR-96-14-A, para. 33.

³⁵ *Niyitegeka* Appeals Judgment, para. 32 (emphasis added).

³⁶ Motion, ICC-01/14-01/18-500, para. 8, *referring to* *Banda and Jerbo* Appeals Judgment, ICC-02/05-03/09-295, para. 23.

³⁷ See Motion, ICC-01/14-01/18-500, para. 8.

witness statements provided for in Rules 111 and 112 of the Rules and found that the term ‘statement’ is ‘broad’ under Rule 76 of the Rules in the sense that it can be disclosed *in any of the said forms*.³⁸

23. Similarly, the Chamber disagrees with the Defence’s submission, based on a finding by Trial Chamber VI in the *Ntaganda* case,³⁹ that, since ‘[i]nvestigators’ notes of interviews with Prosecution witnesses have been held to come within the meaning of Rule 76’, so should draft statements, as both types of documents ‘represent the investigator’s understanding of what the witness has said’.⁴⁰ In the Chamber’s view, this submission appears to be based on an erroneous reading of the Appeals Chamber’s holding in the *Banda and Jerbo* case, which was specifically not confirmed on appeal.⁴¹

B. Disclosure obligations under Article 67(2) of the Statute and Rule 77 of the Rules

24. Nonetheless, the Chamber is mindful that, in special circumstances, a draft witness statement may be disclosable. By way of example, the witness may ask the investigator, during the Read-back Procedure, to make changes in his or her recorded statement which are not explainable under normal circumstances and go beyond mere corrections of errors or omissions, thereby showing a behaviour which could potentially impact on the witness’s credibility.

³⁸ See *Banda and Jerbo* Appeals Judgment, ICC-02/05-03/09-295, para. 24, where the Appeals Chamber indicated that the question before it was ‘whether the Trial Chamber erred in finding that rule 111 required the Prosecutor to create an additional signed, written record of the statements of questioned persons when the statements had been audio- or video-recorded’; para. 26, where it held that ‘rules 111 and 112 set out two alternative procedures for the recording of questioning’; para. 28, where it concluded that ‘the Trial Chamber erred in finding that the Prosecutor was obliged to create such additional records as a matter of law pursuant to rules 76 and 111’ when it had already provided the Defence with audio- or visual- recordings of the statements under Rule 112 of the Rules.

³⁹ *Ntaganda* TC Decision, ICC-01/04-02/06-904, para. 29. In particular, Trial Chamber VI held that ‘statements for the purposes of Rule 76(1) of the Rules are disclosable “irrespective of the form in which they are recorded”, and [...] this may include screening notes, interview notes or investigators’ notes’, referring to *Banda and Jerbo* Appeals Judgment, ICC-02/05-03/09-295, para. 23.

⁴⁰ Motion, ICC-01/14-01/18-500, para. 9.

⁴¹ See *Ntaganda* TC Decision, ICC-01/04-02/06-904, para. 29, where Trial Chamber VI held that ‘statements for the purposes of Rule 76(1) of the Rules are disclosable “irrespective of the form in which they are recorded”, and [...] this may include screening notes, interview notes or investigators’ notes’; referring to *Banda and Jerbo* Appeals Judgment, ICC-02/05-03/09-295, which referred to the alternative forms of statements provided for in Rules 111 and 112 of the Rules.

25. In this regard, the Chamber recalls that the Prosecution continues to remain obligated to disclose (i) under Article 67(2) of the Statute, any evidence which it believes ‘shows or tends to show the innocence of the accused, or to mitigate the guilt of the accused, or which may affect the credibility of prosecution evidence’, and (ii) under Rule 77 of the Rules, tangible objects in its possession or control which are ‘material to the preparation of the defence’ or which it intends to use at trial. Thus, the Chamber considers that in such special circumstances, the Prosecution would be obliged to disclose draft statements pursuant to the aforementioned provisions.
26. That being said, the Chamber finds that, if the Defence has reason to believe that the Prosecution is violating its disclosure obligation, it should make a specific request showing, *prima facie*, that the Prosecution has fallen short of its disclosure obligations. In this regard, the Chamber notes that despite PTC II’s express instruction ‘to provide to the Prosecution references to any specific material that, in its view, falls within the scope of rule 76 of the Rules, as soon as possible’,⁴² the Defence has so far only made general requests for ‘draft witness statements’ in its Motion and during *inter partes* consultations.⁴³
27. On the other hand, the Chamber notes that the Prosecution has expressly assured the Defence during *inter partes* communications that it is complying with its disclosure obligations.⁴⁴ Thus, recalling that the Prosecution is presumed to discharge its disclosure obligations in good faith and, absent evidence to the contrary, the Chamber remains confident that it is indeed doing so.

FOR THESE REASONS, THE CHAMBER HEREBY

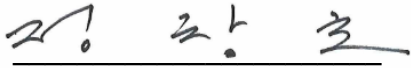
REJECTS the Motion.

⁴² PTC II Decision, ICC-01/14-01/18-315-Red, para. 41.

⁴³ See Motion, ICC-01/14-01/18-500, para. 5, where the Defence alleges that during *inter partes* consultations, it requested the Prosecution ‘disclosure of draft witness statements’. See also para. 11, where the Defence requests the Chamber to ‘order the Prosecution to disclose *all* draft statements in its possession for witnesses it intends to call to testify’ (emphasis added).

⁴⁴ See Motion, ICC-01/14-01/18-500, para. 5.

Done in both English and French, the English version being authoritative.

 _____ Judge Péter Kovács	 _____ Judge Bertram Schmitt Presiding Judge	 _____ Judge Chang-ho Chung
---	--	--

Dated 1 June 2020

At The Hague, The Netherlands