

Annex 26

Public

From: Trial Chamber X Communications
Sent: 02 February 2021 15:56
To: Al Hassan Prosecution Team; D28 Al Hassan Defence Team
 (D28AlHassanDefenceTeam [REDACTED])
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber X Communications
Subject: RE: P-0654 - prohibition on contacts following witness preparation under the Protocol

Dear counsel,

The Single Judge confirms that given the rescheduling of P-0654's testimony, the prohibition on contacts imposed by the witness preparation protocol no longer applies and the Prosecution may contact P-0654. Any proposed read-back of the witness statements and relevant exhibits shall be conducted in accordance with the witness preparation protocol.

Kind regards,

On behalf of the Single Judge of Trial Chamber X

From: Dutertre, Gilles
Sent: 01 February 2021 12:29
To: Trial Chamber X Communications ; D28 Al Hassan Defence Team ([D28AlHassanDefenceTeam](#) [REDACTED])
Subject: P-0654 - prohibition on contacts following witness preparation under the Protocol

Dear Trial Chamber X

The Prosecution confirms that P-0654 has safely fled back, but that the Prosecution is expected to assist him in his return home this week.

The Prosecution assumes that, as there is no clear date as to when P-0654 will next be available to testify, the prohibition on contacts following witness preparation under the Protocol on witness preparation no longer applies. In particular, the Prosecution assumes that it may contact P-0654 for the purposes of organising logistics for his return home, planning for his next dates for testimony, and any security-related issues that may arise in this time period.

The Prosecution does not propose to discuss any substantive aspects related to his testimony in the time period prior to his testimony. However, closer to the date of P-0654's testimony when a date is finalised, the Prosecution anticipates that Witness P-0654 will need another opportunity to reread his own witness statements and relevant exhibits to refresh his memory prior to his testimony. In particular, as it is likely to be some months before he is available again to testify.

The Prosecution would be grateful for the Single Judge's clarification in relation to the scope of allowable contacts with P-0654 prior to the next dates for Witness P-0654's testimony.

Kind regards

Gilles Dutertre