

Annex 40

Public

From: Trial Chamber X Communications
Sent: 23 February 2021 17:43
To: Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team
Cc: Trial Chamber X Communications; Associate Legal Officer-Court Officer; Chamber Decisions Communication
Subject: RE: Request to contact P-0984

Dear counsel

The Single Judge authorises the Prosecution to contact P-0984 as requested, in light of the rescheduling of his testimony.

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: [REDACTED]
Sent: 23 February 2021 16:12
To: [REDACTED]; Trial Chamber X Communications; Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team; Associate Legal Officer-Court Officer
Subject: Request to contact P-0984

Dear Trial Chamber X,

[REDACTED] the Prosecution seeks authorisation from the Single Judge to contact [REDACTED] P-0984 for the limited purposes, as follows:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The Prosecution seeks authorisation to contact P-0984 because it had completed witness preparation with P-0984 and it is the period of time before he is due to testify. Accordingly, the Witness Preparation Protocol would ordinarily prohibit contact. However, the Prosecution recalls that in the similar circumstances of Witness P-0654, whose testimony was also delayed and rescheduled, the Single Judge decided that the prohibition on contacts imposed under the Witness Preparation Protocol no longer applied so that the Prosecution could contact him (See Email from the Chamber on 2 February 2021 at 15:56).

[REDACTED]

Further, the Prosecution envisages that P-0984 will require another read-back of his evidentiary materials (witness statement and exhibits) in order to refresh his memory. Again, consistent with the Chamber's prior decision regarding P-0654, the Prosecution is conscious of the fact that any proposed read-back of the witness statement and relevant exhibits must be conducted in accordance with the Witness Preparation Protocol.

Kind regards,

Dianne Luping
Trial Lawyer