

ANNEX 6
PUBLIC
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From: Trial Chamber V Communications
Sent: 16 May 2022 13:39
To: Office of the Director DJSS; Associate Legal Officer-Court Officer
Cc: OTP CAR IIB Case Management; OTP CAR IIB Managers; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Chamber's order in relation to the appointment of counsel to witness P-0954

Dear colleagues of the Registry,

The Single Judge takes note of the '*Notification of the Appointment of Ms Claudine Bagaza-Dini as Legal Adviser to Witness P-0954*', ICC-01/14-01/18-1407, which appoints counsel pursuant to Rule 74(10) of the Rules (the 'Registry Filing').

The Registry Filing bases this appointment on the Chamber's Decision ICC-01/14-01/18-857. However, the Single Judge notes that Decision ICC-01/14-01/18-857 contains no instruction to appoint counsel to P-0954 pursuant to Rule 74 of the Rules.

It is therefore unclear whether the Registry acted *proprio motu* in relation to Rule 74 of the Rules, or whether it simply misinterpreted the Chamber's 'Order to Assign Counsel to P-0954', ICC-01/14-01/18-1396-Conf, which was based on Articles 64(6)(b) and (f) of the Statute and Rules 65(2) and 171 of the Rules, as clearly set out therein.

The Registry is instructed to (i) clarify why counsel was appointed pursuant to Rule 74(10) of the Rules, and – in the event that this was done erroneously – to (ii) correct this error on the record by way of a new filing and (iii) inform the appointed counsel of her role during the proceedings in accordance with the Chamber's order ICC-01/14-01/18-1396-Conf.

Kind regards, TC V