

ANNEX 27
PUBLIC
REDACTED

From: Trial Chamber V Communications
Sent: 14 June 2022 18:07
To: Dimitri, Mylene; [REDACTED] Trial Chamber V Communications
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; Office of the Director DJSS; OTP CAR IIB Operations; OTP CAR IIB Case Management; OTP CAR IIB Prosecution Team; V44 LRV Team OPCV; V45 LRV Team; Chamber Decisions Communication; Associate Legal Officer-Court Officer
Subject: Decision on the Yekatom Defence Request for recordings containing non-distorted voice of P-2475

Dear counsel, dear colleagues from the Registry,

The Single Judge takes note of the Yekatom Defence's request below and appreciates the Registry's proposal and the Yekatom Defence's response thereto.

The Single Judge is of the view that this proposal enables the Chamber to strike an appropriate balance between the Chamber's obligations to protect the witness and the accused's rights. Accordingly, and noting that the Yekatom Defence agrees with the proposal, he instructs the Registry to implement it as soon as feasible in order to enable the Yekatom Defence to submit its TVM requests, if any, within the applicable deadline.

Kind regards, TC V

From: Dimitri, Mylene [REDACTED]
Sent: 14 June 2022 16:53
To: [REDACTED] Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] Office of the Director DJSS [REDACTED] OTP CAR IIB Operations [REDACTED] OTP CAR IIB Case Management [REDACTED] OTP CAR IIB Prosecution Team [REDACTED] V44 LRV Team OPCV [REDACTED]; V45 LRV Team [REDACTED]
Subject: RE: Request for recordings containing non-distorted voice of P-2475

Dear Trial Chamber V,
Dear colleagues from the Registry,

The Yekatom Defence thanks the Registry for its prompt response and wishes to convey to the Chamber that the course of action proposed by the Registry is perfectly suitable for the Defence. In the event the Chamber grants the Defence request, the Defence can attend the designated work station at the premises of the Court proposed by the Registry at any time convenient for the Registry.

Kind regards,
Mylène Dimitri

From: [REDACTED]
Sent: 14 juin 2022 16:41
To: Dimitri, Mylene [REDACTED]; Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] Office of the Director DJSS [REDACTED]

OTP CAR IIB Operations
 OTP CAR IIB Case Management OTP CAR IIB Prosecution Team
 V44 LRV Team OPCV V45 LRV Team
Subject: RE: Request for recordings containing non-distorted voice of P-2475

Dear Trial Chamber V,

The Registry respectfully informs the Chamber that it can facilitate the request made by the Yekatom Defence *via* an alternative method other than providing a copy of the audio-visual (clear voice) recordings of the witness testimony, which will still allow the Defence to listen to the original language of the testimony and without compromising the security of the witness.

The Registry proposes for the Defence to listen to the original language of the testimony at a designated work station at the premises of the Court, where they will be provided with the requested recordings. The access to the recordings would be limited to viewing rights, with no rights to record or download.

The Registry respectfully conveys to the Chamber that the audio-visual recordings of hearings with protected witnesses is considered as particularly sensitive material and Registry is taking all measures to preserve the integrity of the record and prevent any (unauthorised) dissemination of this material.

Kind regards,
 Court Management

From: Dimitri, Mylene
Sent: 14 June 2022 13:59
To: Trial Chamber V Communications
Cc: D29 Yekatom Defence Team D30 Ngaissona Defence Team
 Office of the Director DJSS
 OTP CAR IIB
 Operations ; OTP CAR IIB Case Management
 OTP CAR IIB Prosecution Team V44 LRV Team OPCV
 ; V45 LRV Team
Subject: Request for recordings containing non-distorted voice of P-2475

Dear Trial Chamber V,

The Yekatom Defence respectfully requests authorisation to access via secure file the recording with the clear voice *i.e.* non-distorted of the witness P-2475 for 3 distinct sessions, namely .

1. Last session of the hearing of Wednesday 25 May
2. Second session of the hearing of Wednesday 30 May
3. Last session of the hearing of the 1st of June

The request is for the purpose of verifying the evidence provided by P-2475 as some parts might have been missed by the interpreters. Before making any transcript modification request via the TVM portal following the established protocol, the Defence would like to listen to some extracts of P-2475's testimony through its Sango linguistic assistants.

The audio currently in the possession of the Defence are inaudible in Sango as the witness's voice is distorted.

In May 2022, a request was made via CSS who transmitted it to CMS. CMS informed the Defence that the request had to be made to the Court officer; the latter responded that the recording is not accessible to the parties, unless ordered and authorized by the Chamber.

The Defence was not aware that an express authorisation was required by the Chamber and only found out today, after sending various emails to the various sections since 28 May 2022. Given that the established protocol provides a limited time to make an interpretation request via the TVM portal, if any, the Defence respectfully makes this request as a matter of urgency.

The Defence remains at the disposal of the Trial Chamber if any additional information is required.

Kind regards,
Mylène Dimitri

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