

Annex 1

Public

[REDACTED]

From: Trial Chamber I Communications
Sent: 24 May 2022 12:04
To: Abd Al Rahman Prosecution Team; D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team
Cc: Trial Chamber I Communications; FS Items Communication; Associate Legal Officer-Court Officer
Subject: Decision on submission of evidence through P-0020
Attachments: RE: P-0020 - List of Material for Submission

Dear Counsel,
Dear colleagues,

The Chamber notes the submission of four items by the Prosecution following the testimony of P-0020 (*see* attached email of 13 May 2022 at 15:36).

The Chamber also notes the Defence's response in which no objections were raised to the submission of the four items. Although the Defence does not object to the submission of any of the items, it notes that items DAR-OTP-0095-0034 and DAR-OTP-0153-1458 were not shown nor discussed with the witness during the hearing. Having noted that these items had 'already been admitted into evidence in its decision ICC-02/05-01/20-602 at par. 86', the Defence did not find it appropriate to re-litigate the submission of these items. The Defence is seeking clarification as to 'the appropriate procedure for admission of documents annexed to a witness statement admitted under Rule 68(3) and the right moment for making observations on such documents'.

The Chamber finds that, in principle, issues relating to relevance or admissibility of evidence must be raised at the earliest opportunity. In the case of the two items above, that is at the time the Defence responded to the Prosecution's application pursuant to Rule 68(3) of the Rules. However, an issue may be raised immediately after the issue has become known (*see* Rule 64(1) of the Rules).

In relation to the two items above, the Chamber will take into consideration the Defence's observations, when assessing the evidence in its judgment pursuant to Article 74 of the Statute.

Noting that all items tendered were used and discussed with P-0020, or their introduction was not objected to by the witness, and that their submission is unopposed, the Chamber hereby recognises the items as formally submitted.

The Registry is therefore directed to proceed in accordance with paragraph 31(iv) of the Directions on the conduct of the proceedings (filing 478).

Kind regards,

[REDACTED]
(on behalf of Trial Chamber I)

From: Sabatini, Claire
Sent: 13 May 2022 15:36
To: Trial Chamber I Communications
Cc: D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team; Abd Al Rahman Prosecution Team; Associate Legal Officer-Court Officer
Subject: RE: P-0020 - List of Material for Submission
Attachments: P-0020 - List of Material for Submission_Revised.pdf

Dear Trial Chamber I,

Please see the revised list attached, the document containing clarifications and corrections to the statement was inadvertently excluded from the prior list.

Also, please note that this item (#4 - DAR-OTP-0224-0551) will be formally disclosed today.

Kind regards,



Claire Sabatini

Case Manager
 Office of the Prosecutor
 International Criminal Court
 Oude Waalsdorperweg 10, 2597 AK, The Hague
Mail address: PO Box 19519, 2500 CM, The Hague, The Netherlands

www.icc-cpi.int

From: Sabatini, Claire [REDACTED]
Sent: 13 May 2022 15:23
To: Trial Chamber I Communications [REDACTED]
Cc: D31 Abd-Al-Rahman Defence Team [REDACTED]; V47 Abd Al Rahman LRV Team [REDACTED] Abd Al Rahman Prosecution Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED]
Subject: P-0020 - List of Material for Submission

Dear Trial Chamber I,

In accordance with paragraph 31 of the "Directions on the conduct of proceedings" (ICC-02/05-01/20-478), the Prosecution respectfully requests the submission of the items included in the attached list in relation to Witness P-0020.

Thank you.

Kind regards,



Claire Sabatini

Case Manager
 Office of the Prosecutor
 International Criminal Court
 Oude Waalsdorperweg 10, 2597 AK, The Hague

Mail address: PO Box 19519, 2500 CM, The Hague, The Netherlands

[REDACTED]

www.icc-cpi.int

Prosecution's List of Material for Submission – Witness DAR-OTP-P-0020

#	ERN (e-Court)	Type	Title	Relevant passages	Tendered through this witness	To be admitted under rule 68(3)
1.	DAR-OTP-0095-0002-R02	ICC Statement - General	WITNESS STATEMENT		Yes	Yes
2.	DAR-OTP-0095-0034	Non ICC Statement (Note / Screening / Transcript)	Meetings with the [REDACTED]		Yes	Yes
3.	DAR-OTP-0153-1458	Translation - ENG	Translation of Evidence / Interviews [REDACTED]		Yes	Yes
4.	DAR-OTP-0224-0551	ICC Statement - General	Clarification/corrections to the statement of P-0020 (DAR-OTP-0095-0020)		Yes	No