

Annex I

Public

From: Trial Chamber X Communications
Sent: 01 October 2020 15:30
To: FS Items Communication; Al Hassan Prosecution Team; 'D28AlHassanDefenceTeam'; 'V43LRVTeam'
Cc: Trial Chamber X Communications; Associate Legal Officer-Court Officer
Subject: Decision on submitted material for P-0057
Attachments: List of material for submission regarding Witness MLI-OTP-P-0057; RE: List of material for submission regarding Witness MLI-OTP-P-0057; RE: List of material for submission regarding Witness MLI-OTP-P-0057

Dear Counsels,

The Chamber notes the submission of items by the Prosecution (Email from the Prosecution dated 11 September 2020 at 14:38 and corresponding attachment), as well as by the Defence (Email from the Defence dated 14 September 2020 at 13:55) following the testimony of P-0057.

It is noted that neither the Prosecution nor the Defence object to the submission of items by the other party. However, the Prosecution disagrees with the Defence's characterisation of P-0057's testimony (Email from the Prosecution dated 15 September 2020 at 15:33).

The Chamber has had due regard to the email exchanges between the parties as a result of their respective submission of items following the testimony of P-0057, including the views expressed by the Prosecution on the Defence's characterisation of P-0057's testimony. The Chamber also considered the nature and scope of the witness's testimony, particularly that the Chamber previously authorised the introduction pursuant to Rule 68(3) of the Rules of Procedure and Evidence (the 'Rules') of reports authored by P-0057, as well as related material (*see* Decision ICC-01/12-01/18-987-Conf, paras 54-60).

Considering that the formalities under Rule 68(3) have been satisfied, and noting that the Defence does not raise any objections, the Chamber authorises the submission of material identified in decision ICC-01/12-01/18-987-Conf.

Furthermore, the Chamber is satisfied that items MLI-OTP-0038-0891, MLI-OTP-0005-0025 as well as the items with the ERNs MLI-OTP-0006-1524 to 0006-1533 were sufficiently used or discussed with P-0057 during his testimony for them to be recognised as formally submitted.

Accordingly, the Chamber recognises the formal submission of items contained in the tables attached to the email submissions received from the Prosecution on 11 September 2020 at 14:38 and the Defence on 14 September 2020 at 13:55. The Registry is therefore directed to proceed in accordance with paragraph 34(vi) of the Directions on the conduct of the proceedings (ICC-01/12-01/18-789-AnxA).

Kind regards,

[REDACTED]

On behalf of Trial Chamber X