

ANNEX 57

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Version

From: Trial Chamber V Communications
Sent: 31 October 2022 18:24
To: VWS Legal; OTP CAR IIB
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Order for the VWU to provide assessment on witness's security situation

Dear Counsel,
dear colleagues from the VWU,

The Single Judge takes note of the Prosecution's request '*Requête de l'Accusation aux fins d'autorisation de ne pas communiquer à la Défense des informations de caractère sécuritaire fournies par le témoin [REDACTED], par dérogation à la Règle 77 du Règlement de Procédure et de Preuve*' (the 'Witness' and the 'Request') (ICC-01/14-01/18-1508-Conf-Exp and Conf-Red) concerning two investigation reports related to the Witness (the 'Investigation Reports') (ICC-01/14-01/18-1508-Conf-Exp-AnxA and AnxB). The Single Judge further takes note of the Defence teams' responses to the Request (ICC-01/14-01/18-1524-Conf; ICC-01/14-01/18-1525-Conf).

Recalling his obligations to protect the safety of witnesses and to ensure that restrictions on disclosure remain necessary and are not prejudicial to the rights of the accused, the Single Judge considers that he would be assisted by the VWU's observations on the Request, and particularly an assessment of the security situation of the Witness. Specifically, this should include an assessment of the risks to which the Witness might be exposed on account of his upcoming testimony before the Court and the disclosure of the highlighted portions in the Investigation Reports to the Defence teams.

The VWU is instructed to submit its observations to the Chamber by 1 December 2022.

In order to facilitate this assessment, the Single Judge instructs the Prosecution to liaise with the VWU and provide it with any relevant information.

Kind regards, TC V