

ANNEX 28

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Version

From: Trial Chamber V Communications
Sent: 19 September 2022 09:51
To: Dimitri, Mylene; [REDACTED] Trial Chamber V Communications
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; OTP CAR IIB Case Management; OTP CAR IIB Operations; [REDACTED] Chamber Decisions Communication; Associate Legal Officer-Court Officer; VWS Legal
Subject: Directions regarding the testimony of P-1558

Dear counsel,

The Single Judge appreciates the parties' efforts to fill all scheduled hearing days. The Prosecution is instructed to identify a suitable witness and schedule P-1558 and this second witness on alternating days, as proposed.

Kind regards, TC V

From: Dimitri, Mylene [REDACTED]
Sent: 16 September 2022 19:19
To: [REDACTED] Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]; OTP CAR IIB Case Management [REDACTED] OTP CAR IIB Operations [REDACTED]

Subject: Re: OTP Time-estimates regarding P-1558

Dear Trial Chamber V,

Dear all,

The Yekatom Defence has considered the special circumstances regarding P-1558's health situation and approached the Ngaissona Defence to discuss the matter. We would be ready to proceed with an alternative witness on the days that P-1558 is not testifying (i.e., on Monday, Wednesday, and Friday) if the alternative witness concerns mainly Mr. Ngaissona, to the exception of important insider witnesses. A witness such as P-0314 would be acceptable to the Ngaissona defence. Given the importance of P-1558's for Mr. Yekatom's Defence and the number of days he would have spent side by side with Mr. Yekatom, it would be difficult for the team to handle two witnesses concurrently. We hope this proposal is satisfactory to everyone. We are of course happy to have him scheduled outside the witness block, as suggested by the Prosecution.

Kind regards,
Mylène Dimitri

From: [REDACTED]
Sent: 16 September 2022 15:10
To: Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]; OTP CAR IIB Case Management [REDACTED] OTP CAR IIB Operations [REDACTED]

Subject: OTP Time-estimates regarding P-1558

Dear Trial Chamber V,

For the purpose of scheduling the November witness block (Block 17), we would like to inform you of the following. Witness P-1558 i [REDACTED]

[REDACTED] He is a Rule 68(3) witness for which the Prosecution has foreseen two hours of examination (provided that the application is granted). The YEKATOM defence has indicated they expect to cross-examine him for 9-12 hours, while the NGAISSONA defence has indicated 2-3 hours.

The witness has informed us that he believes he will be sufficiently fit to testify, and we are in the process of submitting a referral to VWS regarding his health situation.

For the purpose of scheduling however, we seek the Chamber's guidance as to whether we should try and schedule an alternative witness on the days that P-1558 is not testifying (i.e., on Monday, Wednesday, and Friday), or whether we should keep these days open? Alternatively we could try to schedule him outside the witness block if this would be logistically feasible.

Kind regards,

On behalf of OTP Trial Team

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