

ANNEX 25

PUBLIC REDACTED

From: Trial Chamber VI Communications
Sent: 22 September 2022 18:34
To: OTP CAR IIA Communications; D33 Said Defence Team; Said LRV Team OPCV;
 Associate Legal Officer-Court Officer
Cc: Trial Chamber VI Communications; Chamber Decisions Communication; [REDACTED]
Subject: Further Directions pursuant to Rule 140 of the Rules

Dear Parties and Participants,
 Dear Registry,

Pursuant to rule 140 of the Rules, the Presiding Judge hereby issues the following directions:

- The parties and participants are ordered to produce a hard copy binder for the Presiding Judge containing the materials which that party intends to use during its questioning of the witness no later than the morning of the day that it is due to begin its examination of the witness. At present, additional hard copies for the Chamber are not required, however, this is without prejudice to other members of the Chamber also requesting hard copy binders at a later date.
- When sending its List of Materials, as set out in paragraphs 13-14 of the Additional Directions on the Conduct of Proceedings (ICC-01/14-01/21-479), the parties and participants must ensure that all ERN numbers are hyperlinked to Nuix.
- In addition to sending its List of Materials, the parties and participants must also ensure that eBinders are created in Nuix for use by the Chamber and the Registry. The parties and participants are ordered to liaise with the relevant sections of the Registry in this regard.
- When creating both hard copy binders and eBinders, the parties and participants are ordered to include the English versions of any document, where available.
- As noted in paragraphs 59-60 of the Directions on the Conduct of Proceedings (ICC-01/14-01/21-251), a party or participant has 5 minutes to object to a request for redaction and, in the absence of any objections, the redaction is presumed to have been approved. The Presiding Judge orders that in addition to informing the Chamber if there are objections, the responding party/participant is also ordered to inform the Chamber if there are no objections to a particular redaction request. This is in order to ensure that the redaction process proceeds quickly and efficiently. In this regard, the specific Court Officer sitting in the hearing and the Trial Chamber VI email ([REDACTED]) should always be copied. If requests for redactions are made particularly close to the end of a session, the requesting party/participant is ordered to also orally inform the Court Officer to ensure that no redaction request is missed.
- When corresponding in relation to administrative matters relating to hearings and other in-court matters, the parties and participants should ensure that th[REDACTED] is in copy.
- The parties are ordered to seek agreement on the spelling of names and places etc that are not common knowledge, and create an agreed spelling list to be provided to the Chamber and the Registry, in particular the interpreters and court reporters. This is to minimise the need for the corrections to transcripts and to ensure overall accuracy of the record.
- In-Court etiquette
 - Only one person speaks at a time.

If a party or participant wishes to speak they should rise and wait until the Presiding Judge has given them the floor. After being given the floor, allow time for the interpretation and transcription of the previous speaker's statement to be finalised before you respond.

- Observe a pause before speaking.
There is a need for a brief (approximately 5-second) pause between a question and the answer as well as between an answer and the next question. This is particularly important in an exchange between two persons speaking the same language where neither is following the interpretation.
 - Speak clearly and slowly
Read and speak clearly and at a moderate pace, particularly when dealing with figures; for example, electronic record numbers (e.g. CAR-OTP), dates, pseudonyms, quotations, e.g. from witness statements, legal texts and unfamiliar proper names.
 - Ensure correct spelling.
Names and locations that are not common knowledge and not on the agreed spelling list must be spelled out for the record.
 - Language shifts, idioms and "asides"
If possible, endeavour to use the same working language for any given intervention. If you must use another language, first indicate that you are about to switch to another language. Allow time for interpretation when text contains words in a different language. Idioms and sayings should be avoided whenever possible to facilitate interpretation. Avoid utterances which should not be interpreted and transcribed; for example, speaking to yourself or colleagues.
 - Quoting documents
Before quoting, fully identify the document by stating the ERN number and indicate the exact location of the quotation. Allow time for the interpreters to locate the passage you are about to quote. Clearly indicate when you start and stop quoting.
- Interpreters are responsible for the accuracy of their output and the Chamber expects them to make every effort to correct themselves over the microphone immediately, whenever possible. In addition, parties are strongly encouraged to raise orally potential issues with the accuracy of the translation and/or transcription of utterances during the hearings as and when they occur. Parties may also send an email to [REDACTED] copying the Chamber, Court Officer and the other parties and participants, indicating potential errors, omissions, and proposed corrections. Such emails should be sent as soon as possible after each session and no later than 30 minutes after the end of the hearing. The Registry is instructed to verify the parties and participants' suggestions before releasing the edited version of the transcript. If one or more of the suggested corrections are not implemented by the Registry, it must inform the requesting party or participant no later than when the edited transcript is notified.
 - Requests for corrections to the transcript shall be submitted to the Registry as soon as possible and no later than 21 days from the notification of the edited version of the transcript. When the English and French versions of a transcript are notified on different days, the latter of the two notification dates triggers this timeline.

Kind regards,

[REDACTED] on behalf of the Presiding Judge)