

ANNEX 12

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 21 February 2023 15:49
To: V44 LRV Team OPCV; V44 LRV Team
Cc: OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V45 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Y/N - Decision on the CLLRV2 request concerning P-2354's testimony

Dear Counsel,

The Single Judge takes note of the CLRV2's request that its field counsel, [REDACTED] '[be] allowed to be present at the location where [dual status witness P-2354] will testify (in the same room) during the entire testimony', scheduled on 27 and 28 February 2023 (see email below).

Recalling his previous findings regarding the presence of legal representatives during the testimony of dual status witnesses (see email from the Chamber, 5 July 2022, at 11:48), and noting the lack of objections, the Single Judge grants the request.

The Single Judge recalls that legal representatives should refrain from holding substantive discussions with witnesses about the topics that are to be dealt with in the courtroom until after the close of the evidence in the case (see Annex 1 to the Decision on Protocols at Trial, ICC-01/14-01/18-677-Anx1, para. 32).

Kind regards, TC V

From: Massidda, Paolina [REDACTED]
Sent: 20 February 2023 16:04
To: Trial Chamber V Communications [REDACTED]
Cc: OTP CAR IIB [REDACTED]; 'D29YekatomDefence [REDACTED]'; [REDACTED]; 'D30NgaissonaDefence [REDACTED]'; [REDACTED]; V44 LRV Team OPCV <[REDACTED]>; 'V44LRV [REDACTED]'; [REDACTED] V45 LRV Team [REDACTED]
Subject: CLLRV Request concerning P-2354 testimony

Dear Trial Chamber V,

On 26 and 27 February 2023, Witness P-2354 will testify from [REDACTED] He is a dual status individual (a/66179/19) represented by Ms Massidda.

As per practice, Chambers allow contact between the witness and her/his legal representative during the whole testimony provided that matters linked to said testimony are not discussed. This practice has proven to facilitate the testimonies of dual status individuals because of the presence of a person the witness trusts. Consequently, as for the previous occasion when P-2353 testified, Ms Massidda respectfully requests that her Field Counsel, [REDACTED] is allowed to be present at the location where the witness will testify (in the same room) during the entire testimony.

Kind regards,
Paolina Massidda



Paolina Massidda

Conseil principal / Principal Counsel
Bureau du conseil public pour les victimes (BCPV)
Office of Public Counsel for Victims (OPCV)
International Criminal Court

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