

ANNEX 23

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 21 March 2023 09:45
To: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; OTP CAR IIB; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on the Yekatom Defence Request to Add Items to its List of Materials

Dear Counsel,

The Single Judge notes the Yekatom Defence's request below.

In light of the explanation provided, and that the Prosecution does not oppose the request, the Single Judge grants the request.

Kind regards,

TC V

From: OTP CAR IIB [REDACTED]
Sent: 21 March 2023 09:26
To: [REDACTED]; Trial Chamber V Communications
Cc: OTP CAR IIB [REDACTED] D30 Ngaissona Defence Team [REDACTED]
 D29 Yekatom Defence Team [REDACTED] V44 LRV Team [REDACTED];
 V44 LRV Team OPCV [REDACTED]; V45 LRV Team [REDACTED]; Associate Legal
 Officer-Court Officer [REDACTED]
Subject: RE: Yekatom Defence Request for leave to add three items to its list of material for P-1838

[ICC] RESTRICTED

Dear Trial Chamber,

Dear Counsel,

The Prosecution does not oppose the Defence Request. However, we note that the practice of late additions to the Defence exhibit list *after* the commencement of its examination appears to have become more the *rule* than an exception to the Chamber's practice direction.

We consider that the Chamber's conduct of proceedings Decision is intended to facilitate the efficient examination of witnesses by both Parties, and hope that the Defence makes every effort to do so. In the circumstances, the Prosecution would also reserve its right to request re-examination as may be appropriate. Thank you.

Kind regards,

Kweku Vanderpuye

From: [REDACTED]
Sent: 20 March 2023 19:13
To: Trial Chamber V Communications [REDACTED]

Cc: OTP CAR IIB [REDACTED]; D30 Ngaissona Defence Team <[REDACTED]>;
 D29 Yekatom Defence Team [REDACTED]; V44 LRV Team [REDACTED];
 V44 LRV Team OPCV [REDACTED]; V45 LRV Team [REDACTED]; Associate Legal
 Officer-Court Officer [REDACTED]>

Subject: Yekatom Defence Request for leave to add three items to its list of material for P-1838

Dear Trial Chamber V,
 Dear Parties and Participants,

The Yekatom Defence respectfully requests leave to add three items to its list of material to be used during P-1838 examination.

We apologise for this late addition, but are confident that it is not prejudicial to any of the parties or participants and will enable the Defence to obtain important information during the conduct of its examination of the witness.

Two of the three items are meant to enable the witness to identify the [REDACTED]
 [REDACTED]. CAR-D29-0008-0013, consist of an extract of the video [REDACTED] (CAR-OTP-2059-0384). CAR-D29-0010-0013 consist of a screenshot of the same video.
 The other item, is meant to enable the witness to identify [REDACTED]. Indeed, CAR-D29-0010-0012 consist of another screenshot of CAR-OTP-2059-0384.

The Defence submits that no prejudice would arise from this late addition as they consist of previously disclosed documents. Furthermore, the three items come from a document which is known, disclosed and used by the Prosecution. The two pictures were also already used by the Defence with witness P-1813.

Please find attached a version of the amended list should the Chamber grants the leave to add the above mentioned items.

Kind regards,

[REDACTED]
 Case manager, Yekatom Defence

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