

Annex 1

Public

From: Trial Chamber X Communications
Sent: 29 September 2021 10:30
To: Al Hassan Prosecution Team; D28AlHassanDefenceTeam [REDACTED]; V43LRVTeam [REDACTED]
Cc: Associate Legal Officer-Court Officer; FS Items Communication; Trial Chamber X Communications
Subject: TC X - Decision on submitted material for P-0639
Attachments: List of Material for submission regarding MLI-OTP-P-0639.pdf

Dear Counsel,
 Dear colleagues,

The Chamber notes the submission of items by the Prosecution (email from the Prosecution dated 21 September 2021 at 16:02 and corresponding attachment) and the Defence (email from the Defence dated 22 September 2021 at 12:22) following the testimony of P-0639, as well as the fact that parties did not provide submissions in response (email from the Prosecution dated 22 September 2021 at 15:19).

The Chamber is satisfied that all items tendered were sufficiently used or discussed with P-0639 for them to be recognised as formally submitted at this stage. The Chamber further recalls that introduction of P-0639's evidence was previously authorised under Rule 68(3) of the Rules (ICC-01/12-01/18-1267-Conf, paras 39-43), pending solely the formalities under this provision, which were fulfilled during P-0639's in-court appearance (T-136).

Accordingly, the Chamber authorises the submission of the material listed in the attachment to the Prosecution email of 21 September 2021, as well as the submission of the material identified in the Defence email of 22 September 2021.

The Registry is directed to proceed in accordance with paragraph 34(vi) of the Directions on the conduct of the proceedings (ICC-01/12-01/18-789-AnxA).

Kind regards,

[REDACTED]
 On behalf of Trial Chamber X

From: Dutertre, Gilles [REDACTED] >
Sent: 22 September 2021 15:19
To: Trial Chamber X Communications <TrialChamberXCommunications [REDACTED]>
Cc: Al Hassan Prosecution Team <AlHassanProsecutionTeam [REDACTED]>; D28 Al Hassan Defence Team <D28AlHassanDefenceTeam [REDACTED]>; V43 Victims Al Hassan Team <V43LRVTeam [REDACTED]>; Associate Legal Officer-Court Officer <AssociateLegalOfficer-CourtOfficer [REDACTED]>
Subject: RE: Defence List of Material for Submission for Witness P-0639

Chère Chambre de Première Instance X,
 L'Accusation s'en remet à la Chambre.
 Respectueusement,
 Gilles Dutertre

From: [REDACTED]
Sent: 22 September 2021 12:22
To: Trial Chamber X Communications <TrialChamberXCommunications [REDACTED]>

Cc: Al Hassan Prosecution Team <AlHassanProsecutionTeam[REDACTED]>; D28 Al Hassan Defence Team <D28AlHassanDefenceTeam[REDACTED]>; V43 Victims Al Hassan Team <V43LRVTeam[REDACTED]>; Associate Legal Officer-Court Officer <AssociateLegalOfficer-CourtOfficer[REDACTED]>

Subject: Defence List of Material for Submission for Witness P-0639

Dear Trial Chamber X,
Dear Colleagues,

Pursuant to paragraph 34(ii) of ICC-01/12-01/18-789-AnxA, the Defence provides its List of Material for Submission for Witness P-0639. These items (identified by reference to their Defence tab number) were used with the witness (as indicated by the references to the English confidential real time transcript) and have sufficient indicia of relevance and reliability to be suitable for submission as evidence as set out in the table below.

Tab	Doc ID	Title	Type	Transcript	Relevance and reliability
Defence Tab 2	MLI-D28-0005-7251	Facebook Page	Communication – Social Media	T-136, p.66 line 13 to line 20.	The Facebook account of the witness was shown to him and he recognized that it is his own complete Facebook account.
Defence Tab 3	MLI-D28-0005-7256	Facebook Friends	Communication – Social Media	T-136, p.66 line 21 to p.69 line 15.	The list of Facebook friends was shown to the witness and he recognized that he is Facebook friend with [REDACTED]

Kind regards,
[REDACTED] (on behalf of the Al Hassan Defence)

From: Dutertre, Gilles [REDACTED] >

Sent: 21 September 2021 16:02

To: Trial Chamber X Communications <TrialChamberXCommunications[REDACTED]>; Taylor, Melinda [REDACTED] >; [REDACTED] >; Kassongo, Mayombo [REDACTED] >; Doumbia, Seydou [REDACTED] >

Cc: 'D28AlHassanDefenceTeam[REDACTED]' <D28AlHassanDefenceTeam[REDACTED]>; 'V43LRVTeam[REDACTED]' <V43LRVTeam[REDACTED]>

[REDACTED]; Al Hassan Prosecution Team <AlHassanProsecutionTeam[REDACTED]>

Subject: List of material for submission regarding Witness MLI-OTP-P-0639

Chère Chambre de Première Instance X et Chers Collègues,

Conformément au paragraphe 34. ii. de l'annexe ICC-01/12-01/18-789-AnnA, l'Accusation vous prie de bien vouloir trouver en pièce jointe la liste de tous les éléments dont la soumission est requise concernant le témoin P-0639.

Respectueusement,

Gilles Dutertre

List of material for submission into evidence regarding MLI-OTP-P-0639

Count	Doc ID	Type	Title	Main Date	Confidentiality Level	To be tendered as evidence	To be submitted under Rule 68(3) through P-0639
1	MLI-OTP-0072-0290-R03	ICC Statement - General	DÉCLARATION DE TÉMOIN	29-Sep-19	Confidential	Yes	Yes
2	MLI-OTP-0072-0319	List / table	Annexe 1		Confidential	Yes	Yes
3	MLI-OTP-0072-0320	Sketch	Annexe 2	29-Sep-19	Confidential	Yes	Yes
4	MLI-OTP-0072-0321	Certificate	Annexe 3 / 	08-Apr-16	Confidential	Yes	Yes
5	MLI-OTP-0072-0322	Certificate	Annexe 4 / CARNET DE FAMILLE	23-Feb-11	Confidential	Yes	Yes
6	MLI-OTP-0072-0324	Sketch	Annexe 5	29-Sep-19	Confidential	Yes	Yes
7	MLI-OTP-0072-0325	Sketch	Annexe 6	29-Sep-19	Confidential	Yes	Yes

8	MLI-OTP-0074-0002	ICC Investigation notes / report / correspondence	INVESTIGATION NOTE / MLI-OTP-P-0639	06-Nov-18	Confidential	Yes	Yes
9	MLI-OTP-0070-1489	Photograph/s	MLI-OTP-0018-0189 00_01_52_03.PNG	09-Jul-12	Confidential	Yes	Yes
10	MLI-OTP-0018-0415	Audio / Video Material	tbco 003 pllass plice	18-Jan-13	Confidential	Yes	Yes
11	MLI-OTP-0069-1870	Transcript	Transcription de document audio/vidéo / tbco 003 pllass plice	18-Jan-13	Confidential	Yes	No
12	MLI-OTP-0077-0732	Translation - ENG	Translation / Transcript of Audio/Video Material / tbco 003 pllass plice	18-Jan-13	Confidential	Yes	No
13	MLI-OTP-0012-1726	Audio / Video Material	MOV062	15-Dec-12	Confidential	Yes	Yes
14	MLI-OTP-0069-0383	Transcript	Transcription de document audio/vidéo / MOV062	15-Dec-12	Confidential	Yes	Yes
15	MLI-OTP-0018-2209	Photograph/s	tinbctou charya5	21-Jun-12	Confidential	Yes	Yes

16	MLI-OTP-0080-4104	ICC Investigation notes / report / correspondence	NOTE DE CORRECTIONS FAITES PAR LE TEMOIN P-0639 SUR SA DECLARATION	20-Sep-2021	Confidential	Yes	No
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