

ANNEX 30

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 04 July 2023 11:54
To: OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; VWS Legal; Office of the Director DJSS
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on the Prosecution request for further information concerning [REDACTED]

[ICC] RESTRICTED

Dear counsel,
 Dear colleagues from the Registry,

The Single Judge takes note of the Prosecution's request for further information concerning [REDACTED] (see email further below).

Specifically, the Prosecution requests a 'report from the Registry detailing the information and facts at its disposal', arguing that this 'would substantially advance the proceedings'.

The Single further notes the information provided by the Registry in its email below.

Considering the detailed information provided by the Registry, including the information contained in the attachments, the Single Judge is of the view that sufficient details have been provided.
 The Prosecution's request is therefore moot.

Kind regards,
 TC V

From: [REDACTED]
Sent: 28 June 2023 16:35
To: Trial Chamber V Communications [REDACTED]
Cc: OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team <[REDACTED]>
 D30 Ngaissona Defence Team [REDACTED] 'V44 LRV Team'
 [REDACTED]; V44 LRV Team OPCV <V44LRVTeam-OPCV@icc-cpi.int>; V45 LRV Team
 [REDACTED]; VWS Legal [REDACTED] Chamber Decisions Communication
 [REDACTED]; Trial Chamber V Communications [REDACTED]
 [REDACTED]; Office of the Director DJSS [REDACTED]; Associate Legal Officer-Court Officer
 [REDACTED]
 [REDACTED]
 [REDACTED]
Subject: Order regarding the Prosecution's Request for a Report from the Registry concerning [REDACTED]

[ICC] RESTRICTED

Dear Trial Chamber V,

Pursuant to Trial Chamber V ("Chamber")'s order communicated by way of email dated 23 June 2023, the Registry hereby submits the following observations:

[REDACTED]

On 17 February 2023, the Registry notified the authorities [REDACTED]

and requested the cooperation of the [REDACTED] authorities through notes verbales to execute the [REDACTED] undertake a series of actions as requested in the Registry's Request for Cooperation (attached herewith).

On 17 April 2023, the Registry transmitted additional notes verbales in relation to each [REDACTED] authorities of the revised dates [REDACTED]

II. Execution of [REDACTED]

On 9 March 2023, [REDACTED]

[REDACTED]

Between 16 and 18 March 2023, [REDACTED]

[REDACTED]

On 24 March 2023, [REDACTED]

[REDACTED]

[REDACTED]

Therefore, between 25 and 28 April 2023, [REDACTED]

[REDACTED]

On 2 May 2023, [REDACTED]

[REDACTED]

On 9 May 2023, [REDACTED]

[REDACTED]

[REDACTED]

The Registry stands ready to request [REDACTED] should the Chamber so instruct.

Best regards,

[REDACTED]
Office of the Director
Division of Judicial Services

From: Trial Chamber V Communications [REDACTED]
Sent: 23 June 2023 17:40
To: OTP CAR IIB [REDACTED]; D29 Yekatom Defence Team <[REDACTED]>
 D30 Ngaissona Defence Team <[REDACTED]> 'V44 LRV Team'
 [REDACTED] V44 LRV Team OPCV [REDACTED] V45 LRV Team
 [REDACTED] VWS Legal [REDACTED] Office of the Director DJSS
 [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions
 Communication [REDACTED]; Trial Chamber V Communications
 [REDACTED]
Subject: Order regarding the Prosecution's Request for a Report from the Registry concerning [REDACTED]

[ICC] RESTRICTED

Dear counsel,

The Single Judge takes note of the Prosecution's request below.

To be in a position to adjudicate the request, the Single Judge considers he would be assisted by receiving observations from the Registry on this matter.

Therefore, the Registry is directed to provide such observations no later than 28 June 2023.

Should any of the parties or participants wish to present observations on the request, they are to do so also by 28 June 2023.

Kind regards,
TC V

From: Vanderpuye, Kweku [REDACTED]
Sent: 20 June 2023 09:29
To: Trial Chamber V Communications [REDACTED] D29 Yekatom Defence Team
 [REDACTED]; D30 Ngaissona Defence Team
 [REDACTED]; 'V44 LRV Team' [REDACTED] V44 LRV Team OPCV
 [REDACTED]; V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED]; Chamber Decisions
 Communication [REDACTED]; OTP CAR IIB [REDACTED]
Subject: [REDACTED]

[ICC] RESTRICTED

Dear Trial Chamber V,

Dear All,

Following the Registry's indication that the summonses regarding P-2269 and P-2602 could not be executed on account of their purported deaths, the Prosecution requests that the Chamber direct the provision of a detailed report concerning the relevant circumstances.

The Prosecution has not received any further substantive information regarding the purported deaths of the two witnesses. We are unaware of the basis on which the Registry (or the CAR authorities) concluded that the witnesses are in fact deceased. The source of the information remains unclear, and no further information on the circumstances of the witness's deaths has been communicated. Even minimal information, such as the dates, times, or places of their respective deaths has not been forthcoming.

The Prosecution is highly concerned that two significant witnesses seem to have turned up dead in this case without any apparent explanation. This is particularly grave given that we have been apprised of (and reported) over 150 security related incidents — from coercion and death threats, to physical violence. Notably, by June 2021, at least one third of these incidents had occurred during the trial phase (see Prosecution email of 9 June 2021, at 09:29). The present number is greater still.

Complete information concerning what happened to the two witnesses may bear on our (and the Court's) article 68(1) obligations regarding other witnesses, and is otherwise necessary in order to determine what further action may need to be undertaken. As such, a report from the Registry detailing the information and facts at its disposal would substantially advance the proceedings. Thank you.

Kind regards,

Kweku Vanderpuye



Kweku Vanderpuye

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