

ANNEX XLII

PUBLIC

[REDACTED]

From: Trial Chamber IX Communications
Sent: 30 May 2019 17:40
To: [REDACTED]
Subject: [REDACTED] Trial Chamber IX Communications;
 RE: URGENT Request for Visit to D-0113
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Defence,

In light of the response by the Prosecution, the Chamber does not object that Counsel visit D-113 under the following conditions.

The Defence is to liaise with the VWU regarding a potential visit. Should the VWU consider that there are no medical, organisational or other impediments to the visit, the Counsel may see D-113. However, it is ultimately to the VWU to decide whether this visit is appropriate or not. Further, the authorisation is granted under the assumption that this does not minimise eventual chances of D-113 starting his testimony at a later point tomorrow (Friday, 31 May 2019).

The Chamber has complete confidence that no matters related to the content of the upcoming testimony will be raised during the visit.

The Defence is to liaise with the VWU for the further arrangements.

Kind regards,
 Trial Chamber IX

From: [REDACTED]
Sent: 30 May 2019 17:29
To: Trial Chamber IX Communications; [REDACTED]
 [REDACTED]

Subject: RE: URGENT Request for Visit to D-0113

The Prosecution is unaware of the nature of the illness from which the witness is suffering. It must, in the first instance, be for VWU to decide, in the light of medical advice, what measures are necessary to alleviate that suffering. If VWU takes the view that the witness would benefit from a visit by Defence Counse, and if the Chamber decides that this view is a reasonable one, the Prosecution trusts that these are reasonable decisions and would not argue to the contrary.

[REDACTED]

Sent with BlackBerry Work
 [REDACTED]

From: Trial Chamber IX Communications [REDACTED]

Date: Thursday, 30 May 2019, 4:45 PM

To: [REDACTED]

Subject: FW: URGENT Request for Visit to D-0113

Dear parties and participants,

Please find below a request by the Defence that counsel be allowed to visit D-113.

Kind regards,

Trial Chamber IX

From: [REDACTED]

Sent: 30 May 2019 16:37

To: Trial Chamber IX Communications; [REDACTED]

[REDACTED]

Cc: [REDACTED]

Subject: URGENT Request for Visit to D-0113

Importance: High

Dear Trial Chamber IX,

I just got off the phone with Counsel. I have sent this to the Chamber only as it deals with medical issues of a witness, but the Defence of course expects the Chamber to notify the parties and participants at least of the request.

Counsel asks that he be allowed to visit D-0113 in the hospital. It may be beneficial and comforting for someone whom the witness knows, even a little bit, to visit him in the hospital.

Very best,

[REDACTED]

[REDACTED]