

Annex 28

Public Redacted

From: Trial Chamber VI Communications
Sent: 27 June 2024 10:39
To: D33 Said Defence Team
Cc: Dubuisson, Marc; [REDACTED] Tjonk, Harry; [REDACTED]
[REDACTED] Trial Chamber VI Communications;
[REDACTED] OTP CAR IIA Communications; Said LRV Team OPCV
Subject: RE: DC Medical Service position on informed consent

[ICC] RESTRICTED

Dear Defence,

The Chamber has taken note of your email.

As you indicate, much of this can be discussed during the status conference and you will be given an opportunity to do so. Regarding your submissions on confidentiality vis-à-vis the Prosecution and the CLRV, the Chamber finds that there has been no violation of confidentiality. Indeed the Chamber notes that the Prosecution and CLRV are already aware of the issues raised as they have been discussed in earlier filings to which they have access to (see, for example, ICC-01/14-01/21-769-Conf and ICC-01/14-01/21-770-Conf). Moreover, the Chamber understands that the Medical Officers themselves wished the Chamber to be informed of their position. Accordingly, the Chamber rejects the request to have the Prosecution and CLRV ignore and delete the Registry's email.

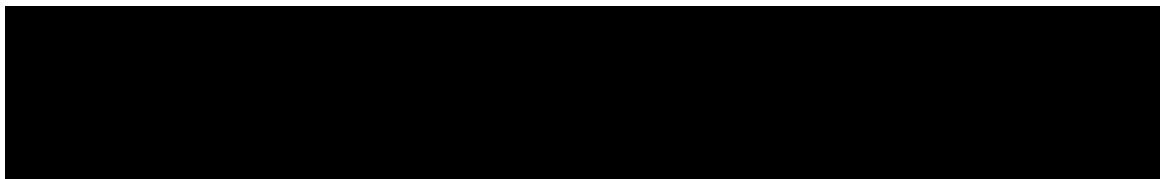
That notwithstanding, the Chamber reassures Mr Said and the Defence that it is not its intention to discuss the substance of Mr Said's medical condition at the status conference. Rather part of the status conference will be devoted to discussing ways forward in order to ensure that the Chamber can receive the medical information it requires for the conduct of the proceedings. Furthermore, the Chamber also reassures the Defence and Mr Said that this will be done in private session to ensure confidentiality is maintained.

To that end, please see an agenda below for the status conference:

- Submissions on scheduling following the expert report;
- Solutions for ensuring that the Chamber can continue to receive the medical information it requires for the conduct of the proceedings;
- Planning/scheduling of witnesses and the conduct of the proceedings.

Kind regards,
Trial Chamber VI

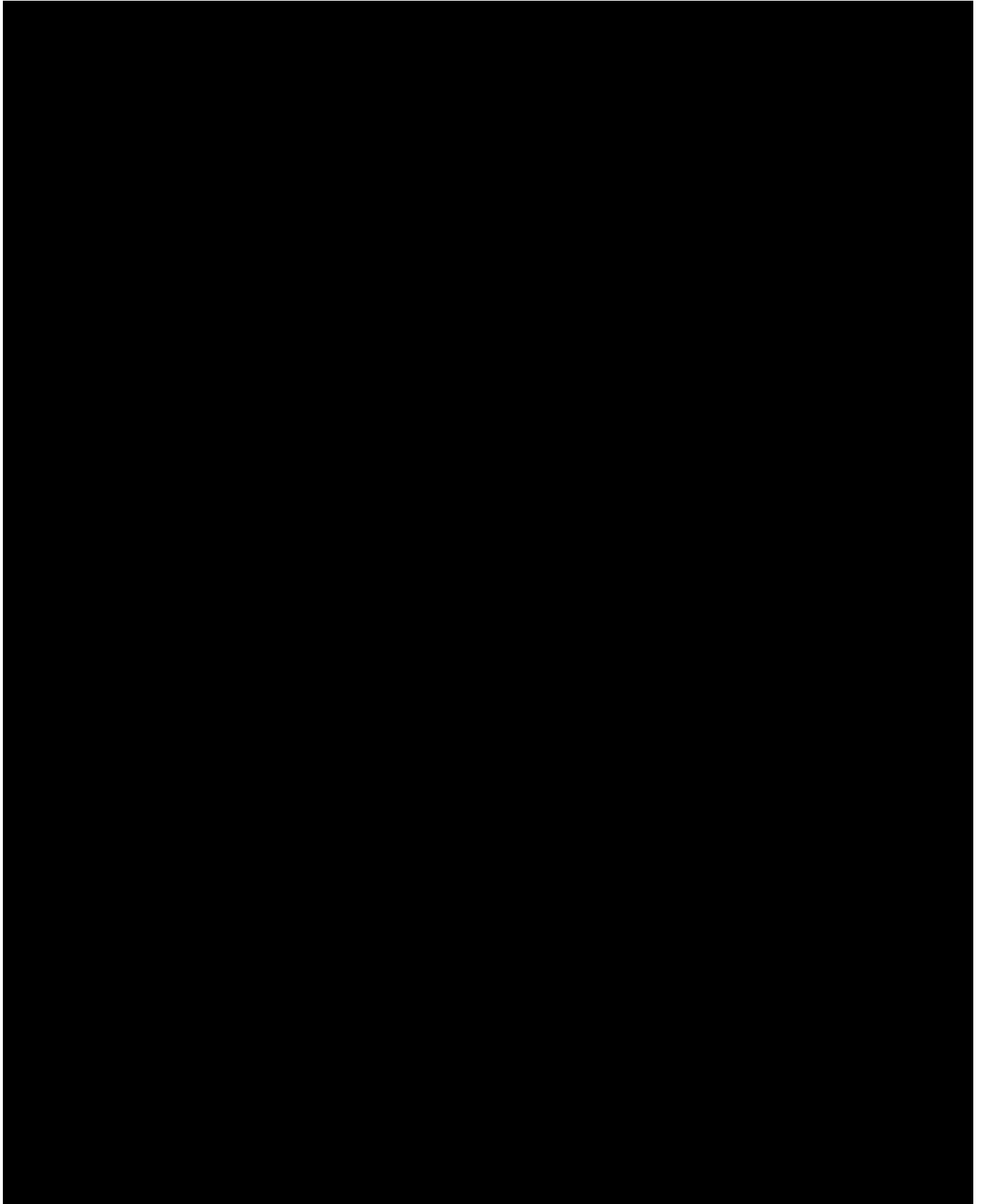
-----Original Message-----

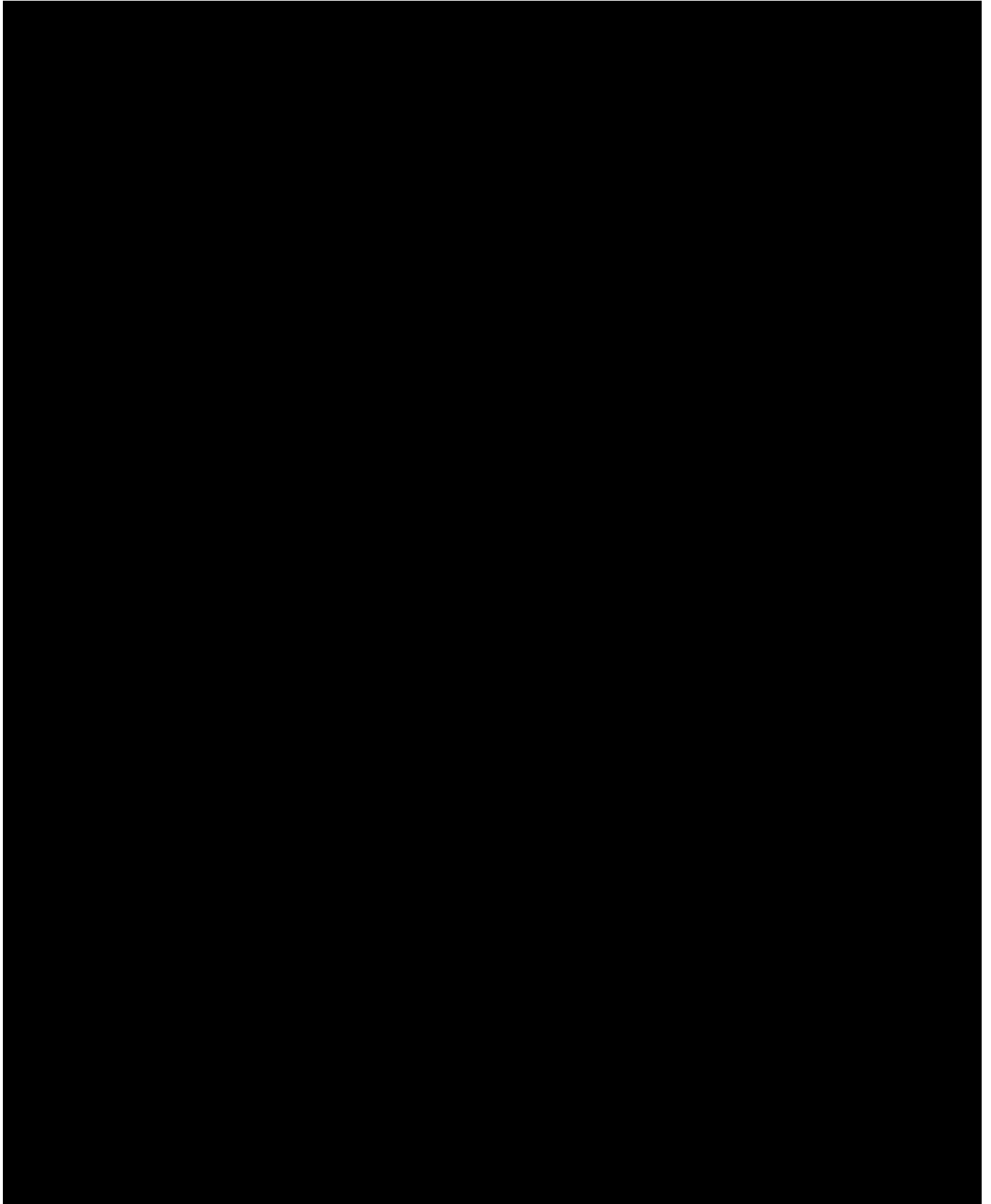


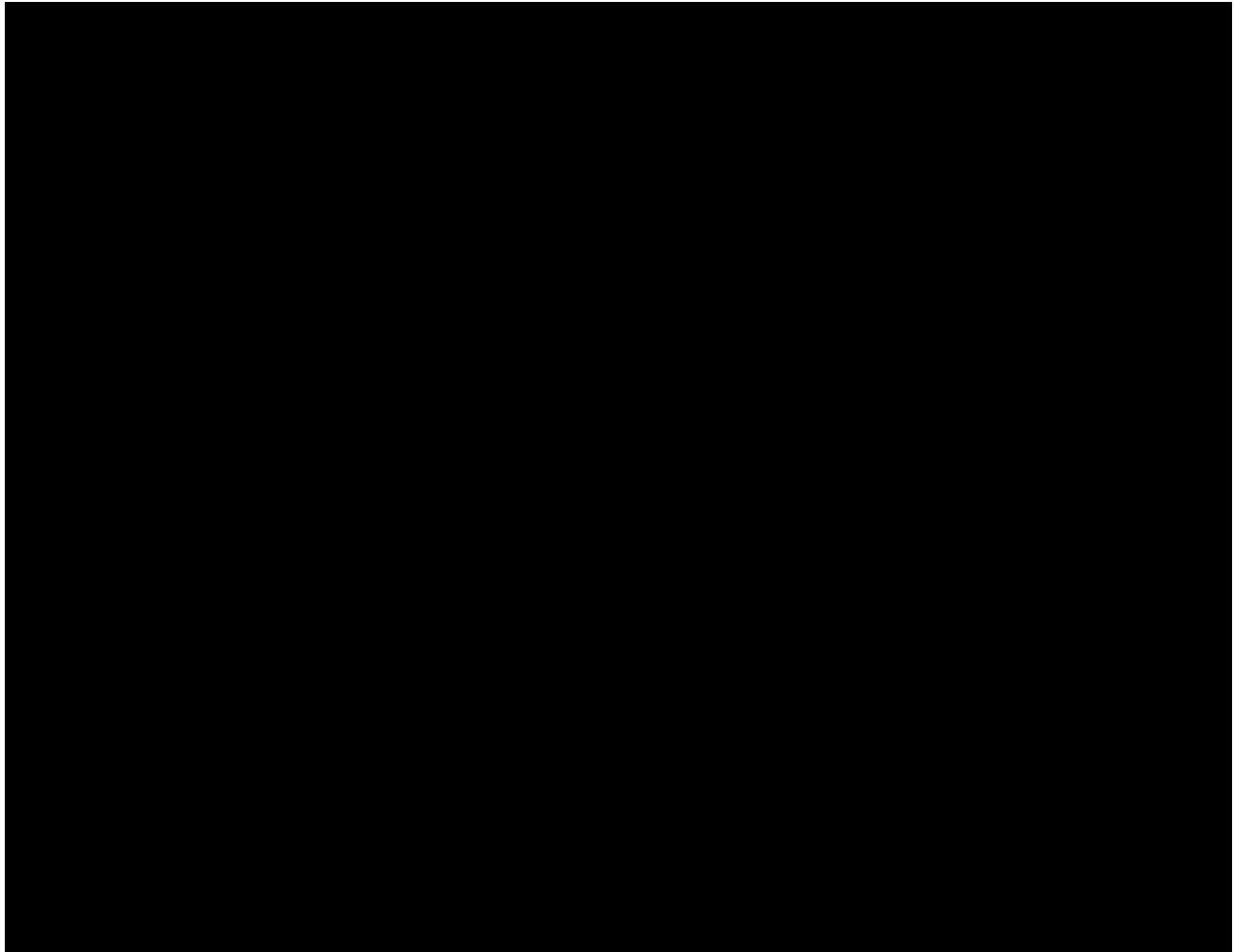
[REDACTED]

[REDACTED]

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