

# Annex 1

## Public Redacted

**From:** Trial Chamber VI Communications  
**Sent:** 05 December 2022 11:50  
**To:** D33 Said Defence Team; OTP CAR IIA Communications; Said LRV Team OPCV; FS Items Communication  
**Cc:** Trial Chamber VI Communications  
**Subject:** Decision on Submitted Material for P-1167  
**Attachments:** 221111 - Request for formal submission of evidence used in the Prosecution's examination of P-1167; FW: Mise en oeuvre du paragraphe 22 de la décision ICC-01/14-01/21-251/ P-1167

Dear Parties and participants,  
 Dear Registry,

On 11 November 2022, the Prosecution requested that the Chamber recognise 28 items as formally submitted (Email from the Defence, at 12:30).

On 15 November 2022, the Defence requested that the Chamber recognise 5 items as formally submitted (Email from the Prosecution to the Chamber, at 12:48).

Neither party submitted any response to the request of the other.

#### Preliminary issues

The Chamber notes that the Defence submission of its amended list of items was sent after [the deadline imposed by the Directions on the Conduct of the Proceedings \(ICC-01/14-01/21-25, para. 22\)](#). However, the Defence sent its initial list within the deadline and only provided an amended version because it received the ERN of one of the items cited in the its list. Accordingly, the Chamber will consider the list in its amended form.

#### Items Requested by the Prosecution

With regards to items 4 (CAR-OTP-2094-1928) and 10 to 17 (CAR-OTP-2033-7326, CAR-OTP-2033-7718, CAR-OTP-2033-7337, CAR-OTP-2033-6811, CAR-OTP-2033-7154, CAR-OTP-2033-6871, CAR-OTP-2033-7064 and CAR-OTP-2069-3222), the Chamber notes that they have been previously recognised as formally submitted. As previously explained, there is no need to do this again.

All items have been discussed during the witness's testimony

The Chamber notes that the Defence does not raise any objections to the Prosecution's submission and that there are no procedural bars to their recognition.

Accordingly, the Chamber recognises all items from the Prosecution's list as formally submitted, with the exception of items 4 and 10-17 (listed in the second column of the table), for the reasons explained above.

#### Items Requested by the Defence

All 5 items submitted for recognition by the Defence have been discussed during P-1167's questioning.

The Chamber also notes that the Prosecution does not object to the items put forward by the Defence and that there are no procedural bars to their recognition.

Accordingly, the Chamber recognises all five items as formally submitted.

#### Conclusion

In summary, the Chamber recognises the following items as formally submitted in relation to P-1167 (*see tables below*).

Kind regards,  
 Trial Chamber VI

**Items submitted by the Prosecution**

| <b>ERN</b>                        |
|-----------------------------------|
| CAR-OTP-2094-1899                 |
| <a href="#">CAR-OTP-2094-1904</a> |
| <a href="#">CAR-OTP-2094-1926</a> |
| <a href="#">CAR-OTP-2094-1937</a> |
| <a href="#">CAR-OTP-2094-1939</a> |
| <a href="#">CAR-OTP-2094-1940</a> |
| <a href="#">CAR-OTP-2094-1941</a> |
| <a href="#">CAR-OTP-2094-1998</a> |
| CAR-REG-0002-0087                 |
| CAR-REG-0002-0086                 |
| CAR-REG-0002-0085                 |
| CAR-REG-0002-0083                 |
| CAR-REG-0002-0084                 |
| CAR-REG-0002-0082                 |
| CAR-REG-0002-0077                 |
| CAR-REG-0002-0078                 |
| CAR-REG-0002-0079                 |

**Items submitted by the Defence**

| <b>ERN</b>                            |
|---------------------------------------|
| <a href="#">CAR-OTP-00000575</a>      |
| <a href="#">CAR-OTP-00000493</a>      |
| <a href="#">CAR-OTP-2130-7999-R01</a> |
| <a href="#">CAR-OTP-00000587</a>      |
| <a href="#">CAR-D33-0014-0009</a>     |

**From:** [REDACTED]  
**Sent:** 11 November 2022 12:30  
**To:** Trial Chamber VI Communications  
**Cc:** OTP CAR IIA Communications; D33 Said Defence Team; Said LRV Team OPCV; Associate Legal Officer-Court Officer  
**Subject:** 221111 - Request for formal submission of evidence used in the Prosecution's examination of P-1167

Dear all,

Dear Trial Chamber VI,

In line with the procedure outlined in paragraph 22 of the Directions on the Conduct of Proceedings (ICC-01/14-01/21-251), the Prosecution requests the formal submission of evidence used in its examination of Witness P-1167 listed in this email.

| Tab | ERN<br>(E-Court)                  | Registration<br>number of the<br>version marked by<br>the witness | Description                                                                                                         | Confidentiality |
|-----|-----------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------|
|     | CAR-OTP-2094-1899-R01             |                                                                   | [REDACTED]<br>[REDACTED] (back)                                                                                     | Confidential    |
|     | <a href="#">CAR-OTP-2094-1904</a> |                                                                   | <a href="#">CAR-OTP-2080-1729</a><br>DATE<br>REDACTED.jpg<br>Original photo at<br><a href="#">CAR-OTP-2080-1729</a> | Confidential    |
|     | <a href="#">CAR-OTP-2094-1926</a> | CAR-REG-0002-0087                                                 | P8301178<br>Original photo at<br><a href="#">CAR-OTP-2069-3225</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1928</a> | CAR-REG-0002-0086                                                 | P8301180<br>Original photo at<br><a href="#">CAR-OTP-2069-3227</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1937</a> | CAR-REG-0002-0085                                                 | P8301190<br>Original photo at<br><a href="#">CAR-OTP-2069-3236</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1939</a> | CAR-REG-0002-0083                                                 | P8301193<br>Original photo at<br><a href="#">CAR-OTP-2069-3238</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1940</a> | CAR-REG-0002-0084                                                 | P8301194<br>Original photo at<br><a href="#">CAR-OTP-2069-3239</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1941</a> | CAR-REG-0002-0082                                                 | P8301195<br>Original photo at<br><a href="#">CAR-OTP-2069-3240</a>                                                  | Confidential    |
|     | <a href="#">CAR-OTP-2094-1998</a> |                                                                   | Photograph 13                                                                                                       | Confidential    |

|  |                                          |                   |                                                            |              |
|--|------------------------------------------|-------------------|------------------------------------------------------------|--------------|
|  |                                          |                   |                                                            |              |
|  | <a href="#"><u>CAR-OTP-2033-7326</u></a> | CAR-REG-0002-0077 | Photo of OCRB – outside                                    | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-7718</u></a> |                   | Photo of OCRB – outside facing gate                        | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-7337</u></a> |                   | Photo of OCRB – outside facing gate                        | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-6811</u></a> | CAR-REG-0002-0078 | Photo of OCRB – inside compound                            | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-7154</u></a> |                   | Photo of OCRB – building                                   | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-6871</u></a> | CAR-REG-0002-0079 | Photo of OCRB – block A cell (overview of G1 to G4 cells)  | Confidential |
|  | <a href="#"><u>CAR-OTP-2033-7064</u></a> | CAR-REG-0002-0080 | Photo of OCRB – block B cell (overview of G7 and G5 cells) | Confidential |
|  | <a href="#"><u>CAR-OTP-2069-3222</u></a> | CAR-REG-0002-0081 | Photo of OCRB handover ceremony                            | Confidential |

Best regards,



**From:** [REDACTED]  
**Sent:** 15 November 2022 12:48  
**To:** Trial Chamber VI Communications  
**Cc:** OTP CAR IIA Communications; Said LRV Team OPCV; D33 Said Defence Team; Associate Legal Officer-Court Officer; [REDACTED]  
**Subject:** FW: Mise en oeuvre du paragraphe 22 de la décision ICC-01/14-01/21-251/ P-1167  
**Attachments:** Soumission formelle des éléments de preuve - P-1167.docx

Chère Chambre de première instance VI,

La Défense soumet en pièce jointe la version amendée de la liste d'éléments de preuve dont elle demande qu'ils soient formellement versés au dossier à la suite du témoignage de P-1167 en application du paragraphe 22 de la décision ICC-01/14-01/21-251 sur la conduite des débats.

Plus particulièrement, puisque l'Accusation a désormais divulgué l'élément « Additional information regarding P-1167 », la liste fait désormais apparaître le numéro ERN de cet élément de preuve.

Bien à vous,

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**From:** [REDACTED]  
**Sent:** 11 November 2022 15:34  
**To:** [REDACTED] Trial Chamber VI Communications [REDACTED]  
**Cc:** OTP CAR IIA Communications [REDACTED] Said LRV Team OPCV [REDACTED]  
 [REDACTED]; D33 Said Defence Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED]  
**Subject:** RE: Mise en oeuvre du paragraphe 22 de la décision ICC-01/14-01/21-251/ P-1167

Dear Ms [REDACTED],

The item you reference below bears the ERN CAR-OTP-00000587. It should be available in NUIX soon.

Kind regards,

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**From:** [REDACTED]  
**Sent:** 11 November 2022 14:33  
**To:** Trial Chamber VI Communications [REDACTED]  
**Cc:** OTP CAR IIA Communications [REDACTED] Said LRV Team OPCV [REDACTED]  
 [REDACTED] D33 Said Defence Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED]  
 [REDACTED] Bittaye, Ramu Fatima [REDACTED]  
**Subject:** Mise en oeuvre du paragraphe 22 de la décision ICC-01/14-01/21-251/ P-1167

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Chère Chambre de première instance VI,

En application du paragraphe 22 de la décision ICC-01/14-01/21-251 sur la conduite des débats, la Défense de Monsieur Said demande respectueusement à ce que soient formellement versés au dossier de l'affaire les éléments soumis par le truchement du témoin P-1167 en audience tels qu'indiqués dans la liste en pièce jointe.

La Défense note que l'élément de preuve « Additional information regarding P-1167 », discuté avec le témoin P-1167 le 10 novembre 2022 (ICC-01/14-01/21-T-036-FRA RT, p.60, l.4 à p.61, l.28) n'a été communiqué à la Défense en version de courtoisie que le matin du contre-interrogatoire, le 10 novembre 2022 à 09:14. Cet élément n'a toujours

pas été divulgué par l'Accusation et ne dispose pas conséquent pas encore d'un ERN. La Défense informera la Chambre dès qu'elle disposera du numéro ERN du document.

Bien à vous,

[REDACTED]

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**Affaire ICC-01/14-01/21**  
**Le Procureur c. Monsieur Said Abdel Kani**

Liste des éléments soumis par le truchement du témoin P-1167 dans le cadre de son témoignage en audience et pour lesquels la Défense demande la soumission formelle au dossier de l'affaire en application du paragraphe 22 de la décision ICC-01/14-01/21-251.

| N° | Doc ID                                | Titre                                                          | Demande la soumission de : |
|----|---------------------------------------|----------------------------------------------------------------|----------------------------|
| 1  | <a href="#">CAR-OTP-00000575</a>      | PERMIS DE CONDUIRE                                             | Tout le document           |
| 2  | <a href="#">CAR-OTP-00000493</a>      | Passeport No. [REDACTED]                                       | Tout le document           |
| 3  | <a href="#">CAR-OTP-2130-7999-R01</a> | INVESTIGATION REPORT / Information Review - CAR-OTP-P-1167     | Tout le document           |
| 4  | <a href="#">CAR-OTP-00000587</a>      | INVESTIGATION REPORT / Additional information regarding P-1167 | Tout le document           |
| 5  | <a href="#">CAR-D33-0014-0009</a>     | Formulaire CPI intermédiaire                                   | Tout le document           |