

ANNEX 10

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 15 May 2024 10:30
To: D29 Yekatom Defence Team; D30 Ngaissona Defence Team
Cc: OTP CAR IIB; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Order Amending the Deadline for Bar Table Motions by the Defence and Instruction regarding Rule 68(2)(b) Declarations

Dear counsel,

The Chamber recalls that it set the final time limit for any bar table applications by the Defence at one week after the testimony of the last witness called by the Defence, whilst encouraging the Defence to file requests on a rolling basis during its presentation of evidence (the 'Direction') (*see Further Directions on the Conduct of the Proceedings [End of Defence Presentation of Evidence and Closure of Evidence]*, ICC-01/14-01/18-2342, para. 6).

The Chamber further notes the two lists of anticipated bar table applications (the 'Lists') as communicated by the Defence. Notably, it recalls that the Yekatom Defence intends to file bar table applications for at least six categories of items (*see ICC-01/14-01/18-2392*, para. 2) and the Ngaissona Defence intends to file bar table applications for at least seven categories of items (*see ICC-01/14-01/18-2393*, para. 4).

Noting that no bar table motions have been filed up until today, and in order to expedite the proceedings, the Chamber hereby amends the Direction as follows:

- **by 31 May 2024** each Defence team is to file bar table motions for at least two of the categories of items from their respective Lists;
- **by 28 June 2024** each Defence team is to file bar table motions for at least two of the categories of items from their respective Lists;
- **by 18 July 2024** each Defence team is to file all remaining bar table applications relating to the categories of items mentioned on their respective Lists; and
- **latest within one week after the testimony of the last witness** called by the Defence is concluded, each Defence team may file any further miscellaneous bar table applications.

In addition to the above, the Chamber notes that numerous prior recorded testimonies of Defence witnesses have been provisionally introduced pursuant to Rule 68(2)(b) of the Rules, under the condition that accompanying declarations will be provided, pursuant to Rule 68(2)(b)(ii) of the Rules. In order to monitor the progress in this regard, the Chamber orders the Defence to provide an update on the *status quo* of obtaining these declarations **by 21 May 2024**.

Kind regards, TCV