

Annex 1

Public Redacted

From: Trial Chamber I Communications
Sent: 19 March 2024 10:15
To: Chamber Decisions Communication
Subject: FW: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

For the record

From: Trial Chamber I Communications [REDACTED]
Sent: Monday, March 18, 2024 4:26 PM
To: Edwards, Iain [REDACTED] Wistinghausen, Natalie [REDACTED] Nicholls, Julian [REDACTED]
 [REDACTED] Laucci, Cyril [REDACTED] Trial Chamber I Communications [REDACTED]
 [REDACTED] D31 Abd-Al-Rahman Defence Team
 [REDACTED] Abd Al Rahman Prosecution Team
 [REDACTED] V47 Abd Al Rahman LRV Team
Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director
 DJSS [REDACTED] VWS Legal [REDACTED] VWS Management [REDACTED]
Subject: RE: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

Dear counsel,
 Dear all,

The Chamber notes the parties' agreement to introduce D-0026's two statements under Rule 68(3) of the Rules of Procedure and Evidence. Noting the absence of objections by the parties, the Chamber authorises the introduction into evidence of the prior recorded testimony of D-0026 pursuant to this provision. The Chamber's preliminary ruling is subject to the witness' appearance before the Chamber and his consent to the introduction of his statements under Rule 68(3).

Moreover, the Chamber hereby schedules a status conference for Thursday, 21 March 2024 at 9:30 to hear the Defence's updates on the continuation of its case. A representative from the Registry should be in attendance. Starting at 11:30, the Chamber will hear D-0026's testimony, which shall be completed before the end of the day.

Kind regards,

[REDACTED]
 (on behalf of Trial Chamber I)

From: Edwards, Iain [REDACTED]
Sent: Monday, March 18, 2024 1:25 PM
To: Wistinghausen, Natalie [REDACTED] Nicholls, Julian [REDACTED] Laucci, Cyril [REDACTED] Trial Chamber I Communications [REDACTED]; D31 Abd-Al-Rahman Defence Team [REDACTED] Abd Al Rahman Prosecution Team [REDACTED]; V47 Abd Al Rahman LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director [REDACTED]

DJSS [REDACTED] VWS Legal [REDACTED]; VWS Management [REDACTED]

Subject: Re: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

[ICC] RESTRICTED

Dear Trial Chamber and colleagues,

Thanks to the CLRV; yes, so did I.

Kind regards,

Iain Edwards

From: Wistinghausen, Natalie [REDACTED]

Sent: 18 March 2024 13:13

To: Edwards, Iain [REDACTED]; Nicholls, Julian [REDACTED]; Laucci, Cyril [REDACTED]
[REDACTED] Trial Chamber I Communications [REDACTED]; D31 Abd-Al-Rahman Defence Team [REDACTED]; Abd Al Rahman Prosecution Team [REDACTED]
[REDACTED] V47 Abd Al Rahman LRV Team [REDACTED]

Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director
DJSS [REDACTED] VWS Legal [REDACTED]; VWS Management [REDACTED]

Subject: AW: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

Dear Trial Chamber,
Dear colleagues,

I apologize, regarding the status conference, I meant Thursday, 21 March or alternatively Friday, 22 March.

Kind regards,

Natalie v. Wistinghausen
CLRV

Von: Wistinghausen, Natalie [REDACTED]

Gesendet: Montag, 18. März 2024 13:10

An: Edwards, Iain [REDACTED]; Nicholls, Julian [REDACTED]; Laucci, Cyril [REDACTED]
[REDACTED]; Trial Chamber I Communications [REDACTED]; D31 Abd-Al-Rahman Defence Team [REDACTED]; Abd Al Rahman Prosecution Team [REDACTED]
[REDACTED] V47 Abd Al Rahman LRV Team [REDACTED]

Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director
DJSS [REDACTED] VWS Legal [REDACTED]; VWS Management [REDACTED]

Betreff: AW: Scheduling for the hearing of witness D-0026

Dear Trial Chamber,
Dear colleagues,

the CLRV welcomes the Defence's agreement that D-026's two statements be admitted pursuant to Rule 68(3), with the Chamber's leave. Furthermore, I support the request to move the status conference, presently scheduled for 25 March, to either the morning of Thursday, 22 March or alternatively Friday, 23 March. I would be grateful for an indication on whether this is acceptable for the Trial Chamber as it would greatly assist regarding travel arrangements.

Kind regards,

Natalie v. Wistinghausen
CLRV

Von: Edwards, Iain [REDACTED]
Gesendet: Montag, 18. März 2024 11:14
An: Nicholls, Julian [REDACTED] Laucci, Cyril [REDACTED] Trial Chamber I
 Communications [REDACTED] D31 Abd-Al-Rahman Defence Team
 [REDACTED] Abd Al Rahman Prosecution Team
 [REDACTED] V47 Abd Al Rahman LRV Team
 [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director
 DJSS [REDACTED] VWS Legal [REDACTED] VWS Management
 [REDACTED]
Betreff: Re: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

Dear Trial Chamber,
Dear colleagues,

Ignoring the rather passive-aggressive tone of parts of the Prosecution's email of last Friday, the Defence can say that it would be content for Col. Markey's two statements to be admitted pursuant to Rule 68(3), with the Chamber's leave.

The Defence also requests that the status conference, presently scheduled for 25 March, to be brought forward to either the morning of Thursday, 22 March ahead of the witness's evidence while we wait for him to be seen by VWU, settle in after his very early morning start, have a coffee etc, or alternatively Friday, 23 March. We respectfully suggest this would represent the most efficient use of court time at the end of this week.

Kind regards,

Iain Edwards

From: Nicholls, Julian [REDACTED]
Sent: 15 March 2024 13:19
To: Laucci, Cyril [REDACTED] Trial Chamber I Communications [REDACTED]
 [REDACTED] D31 Abd-Al-Rahman Defence Team [REDACTED]; Abd Al Rahman
 Prosecution Team [REDACTED] V47 Abd Al Rahman LRV Team
 [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director
 DJSS [REDACTED] VWS Legal [REDACTED] VWS Management
 [REDACTED]
Subject: RE: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

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Dear Trial Chamber I,
 Dear colleagues,

In light of the difficulties that the Defence are having bringing D-26 from Ireland to the Netherlands in a timely fashion, in the interests of the expeditious conduct of proceedings, the Prosecution reiterates its proposal for D-26 to testify via rule 68(3) on the basis that the time saved may allow for the possibility for the witness to testify during the current court block which ends 25 March 2024.

The Prosecution submits that given this witness should have been called to testify by, at the very latest, 15 January 2024, all efforts should now be made by the Defence to ensure that D-26 testifies by 25 March 2024 at the latest, to prevent any further unnecessary delay to the Defence case. In this regard, the Prosecution respectfully suggests that the Chamber consider rescheduling the 25 March 2024 status conference to an earlier date to allow for the possibility for D-26 to testify on 25 March.

Thank you.

Best regards,

Julian Nicholls

From: Laucci, Cyril [REDACTED]
Sent: Friday, March 15, 2024 12:13 PM
To: Trial Chamber I Communications [REDACTED] D31 Abd-Al-Rahman Defence
 Team [REDACTED] Abd Al Rahman Prosecution Team
 [REDACTED]; V47 Abd Al Rahman LRV Team
 [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED]; Office of the Director
 DJSS [REDACTED]; VWS Legal [REDACTED]; VWS Management
 [REDACTED]
Subject: RE: Scheduling for the hearing of witness D-0026
Importance: High

[ICC] RESTRICTED

[ICC] RESTRICTED

Honourable Judges, Dear Colleagues,

VWU just informed us that it was not able to arrange with Witness D26 his travel to The Hague for appearance on Thursday due to short notice.

We are afraid that there is no other option than scheduling his appearance on Monday 22 April.

This is regrettable.

Yours Sincerely,

Cyril Laucci

From: Trial Chamber I Communications [REDACTED]

Sent: 15 March 2024 10:44

To: D31 Abd-Al-Rahman Defence Team [REDACTED] Abd Al Rahman Prosecution Team [REDACTED]; V47 Abd Al Rahman LRV Team [REDACTED]

Cc: Associate Legal Officer-Court Officer [REDACTED] Office of the Director DJSS [REDACTED] VWS Legal [REDACTED] VWS Management [REDACTED]

[REDACTED] Trial Chamber I Communications [REDACTED]

Subject: Scheduling for the hearing of witness D-0026

[ICC] RESTRICTED

Dear counsel,

Dear colleagues,

The Chamber hereby confirms that it will sit on Thursday 21 March 2024, at 9:30, to hear the testimony of D-0026.

Kind regards,

[REDACTED] (on behalf of Trial Chamber I)

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