

ANNEX 12

Public Redacted

Version

From: Trial Chamber V Communications
Sent: 25 March 2025 16:58
To: OTP CAR IIB
Cc: Trial Chamber V Communications; Chamber Decisions Communication; Associate Legal Officer-Court Officer; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44LRV [REDACTED] V45 LRV Team
Subject: Decision on the Prosecution's Request for authorisation to disclose transcripts from the Yekatom and Ngaissona case to the Said Defence

[ICC] RESTRICTED

Dear Counsel,

The Single Judge takes note of the Prosecution's request below, which was unopposed by the participants.

The Single Judge notes that the majority of the requested transcripts are public. In this respect, he recalls his previous guidance that the Prosecution may proceed with disclosure, without seeking the Chamber's approval (*see* decisions ICC-01/14-01/18-1552, para. 5; ICC-01/14-01/18-1465, para. 8).

Having reviewed the confidential transcripts listed (notably P-0446's transcripts ICC-01 14-01 18-T-096-CONF-ENG/ICC-01 14-01 18-T-096-CONF-FRA; ICC-01 14-01 18-T-097-CONF-ENG/ICC-01 14-01 18-T-097-CONF-FRA), the Single Judge notes that while the witness did not have protective measures, his phone number was discussed during his testimony and subsequently redacted. For privacy reasons, the Single Judge considers it prudent to maintain this redaction also *vis-à-vis* the *Said* Defence. Accordingly, he authorises the Prosecution to disclose the above listed transcripts only with redactions to the witness's phone number.

Kind regards, TC V

From: [REDACTED]
Sent: 21 March 2025 11:01
To: Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team
[REDACTED] V44 LRV Team OPCV [REDACTED]; V44 LRV Team
[REDACTED]; V45 LRV Team [REDACTED] Chamber Decisions Communication
[REDACTED] OTP CAR IIB [REDACTED] Associate Legal Officer-
Court Officer [REDACTED]
Subject: Prosecution's Request of authorisation to disclose confidential transcripts from Yekatom and Ngaissona case

[ICC] RESTRICTED

Dear Trial Chamber V,

The Prosecution in the ICC-01/14-01/21 case ("*Said case*") is required to disclose to the Defence of Mr. Said the confidential transcripts of the testimony of the following witnesses in the Yekatom and Ngaissona case: P-0446, P-2012 and P-1077.

The witnesses testified in Yekatom and Ngaissona on the dates specified below. For this reason, the Prosecution needs authorization from Trial Chamber V to grant access to the Defence of Mr. Said to the following confidential documents:

- The confidential transcripts related to the testimony of **P-0446**, dated 21 – 24 February 2022. Transcripts reference: T-96, T-97, T-98 and T-99 [ICC-01 14-01 18-T-096-CONF-ENG ; ICC-01 14-01 18-T-096-CONF-FRA; ICC-01 14-01 18-T-097-CONF-ENG; ICC-01 14-01 18-T-097-CONF-FRA ; ICC-01 14-01 18-T-098-ENG; ICC-01 14-01 18-T-098-FRA; ICC-01 14-01 18-T-099-ENG ; ICC-01 14-01 18-T-099-FRA]
- The confidential transcripts related to the testimony of **P-2012**, dated 26 and 28 April 2021. Transcripts reference: T-25 and T-26 [ICC-01 14-01 18-T-025-ENG; ICC-01 14-01 18-T-025-FRA; ICC-01 14-01 18-T-026-ENG ; ICC-01 14-01 18-T-026-FRA]
- The confidential transcripts related to the testimony of **P-1077**, dated 29 and 30 August 2022. Transcripts reference: T-149, T-150 [ICC-01 14-01 18-T-149-ENG; ICC-01 14-01 18-T-149-FRA; ICC-01 14-01 18-T-150-ENG; ICC-01 14-01 18-T-150-FRA]

For the witnesses who testified with protective measures, the Prosecution will ensure they are respected and will duly inform the *Said* Defence of their nature, as ordered by the Chamber pursuant to Regulation 42(2) of the Regulations of the Court and ensure that they are respected. Thank you.

Best regards,

On behalf of OTP Trial Team