

# **ANNEX 8**

Public Redacted

**From:** Trial Chamber VI Communications  
**Sent:** 28 May 2025 14:20  
**To:** D33 Said Defence Team; Office of the Director DJSS; Associate Legal Officer-Court Officer; [REDACTED]  
**Cc:** [REDACTED] Trial Chamber VI Communications; Chamber Decisions Communication  
**Subject:** Scheduling of Ex Parte Status Conference - Defence and Registry - 4 June 2025

Dear Defence,  
 Dear Registry,

The Chamber has taken note of the Defence's submissions regarding its remaining investigative steps (ICC-01/14-01/21-982-Conf-Exp) (the 'Defence's Submissions').

The Chamber notes from the Defence's submissions that there are still a number of matters outstanding. As it has stated previously on a number of occasions, the Chamber finds that there is a need for the evidentiary phase of the case to be concluded as soon as practicable. In this regard, the Chamber finds that it requires further submissions from the Defence and Registry before it can rule on the Defence's request for more time to complete the investigative steps as set out in the Defence's Submissions.

Accordingly, the Chamber will hold a status conference on **4 June 2025 at 2pm** after the conclusion of P-0015's testimony. The status conference will be *ex parte* Defence and Registry.

The Chamber wishes to receive information on the following issues:

1. The Chamber notes that Defence has still not decided how it wishes to proceed in respect of the documents and information collected at [REDACTED], despite the fact that it has been on notice to make and finalise arrangements since March 2025. The Defence proposes two options in this regard (see para. 30 of Defence's Submissions). With respect to the Defence's proposal that it returns to [REDACTED] to conduct its mission again, the Chamber wishes to know from both the Defence and Registry:
  - How long, concretely, it would take to organise such a mission, and when is the earliest such a mission could take place?
  - Whether any further cooperation requests are required in this regard or whether the original cooperation request remains valid?
  - If a further cooperation request is required, how long will that process take?
  - What work is currently underway at [REDACTED] and what impact, if any, does such work have on any mission by the Defence (see para 30 of Defence's Submissions)?
2. The Chamber notes that the Defence has indicated that it has completed an informal interview with one [REDACTED] official (see paras 32-42 of Defence's Submissions) and intends to interview a further individual named [REDACTED] on 5 June 2025 (see para. 48 of Defence's Submissions). The Chamber notes that the Defence intends to introduce the informal interview reports through the Bar Table (see paras 42 and 50 of Defence's Submissions). The Chamber takes the preliminary view that this is impermissible under the Court's legal framework. Specifically, the Chamber finds that such informal interviews constitute testimonial material under the Court's legal framework and must be introduced pursuant to rule 68 of the Rules. Accordingly, the Chamber warns the Defence that it will not accept the introduction of the informal interview reports through the Bar Table. In this regard, the Chamber notes that there is a protocol between the [REDACTED] authorities and the Court regarding the interview of [REDACTED], which the Chamber finds must be adhered to. In light of the foregoing, the Chamber wishes to have information from the Defence and the Registry on the following:

- How long will it take to conduct and complete the formal interview process by [REDACTED] [REDACTED] as envisaged in step 3 of the protocol?
- When is the earliest that such interviews could be arranged?

3. Last, the Chamber notes from the Defence's Submissions (para. 60) that representatives of the [REDACTED] [REDACTED] have been in touch with representatives of [REDACTED] and that a meeting was scheduled on 23 May 2025. The Chamber wishes to receive an update from the Registry as to the meeting of 23 May 2025 and the status of the cooperation request with [REDACTED] [REDACTED].

In light of the current stage of proceedings, the Chamber urges the Defence and Registry to come prepared to discuss the abovementioned issues in depth and to offer detailed and concrete responses.

The Registry is ordered to inform the Chamber who will attend the status conference to make submissions on the aforementioned questions as soon as possible.

Kind regards,  
Trial Chamber VI