

ANNEX 41

PUBLIC

From: Trial Chamber IX Communications
Sent: 23 January 2017 18:51
To: Trial Chamber IX Communications; Massidda, Paolina
Cc: [REDACTED]

Subject: RE: Reclassification as confidential of victim applications of dual status individuals

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Counsel,
 Dear Colleagues from the Registry,

Having reviewed the redactions proposed by the Common Legal Representative of Victims and the Legal Representatives of Victims, the Single Judge directs the Registry to file in the record of the case confidential redacted versions of the applications of dual status individuals a/01233/16 (P-275); a/02099/16 (P-330); a/02100/16 (P-314); a/02101/16 (P-99); a/02103/16 (P-396); a/02105/16 (P-226); a/02106/16 (P-199); a/02109/16 (P-61); a/02110/16 (P-8); a/02111/16 (P-374); a/02112/16 (P-227); a/02114/16 (P-7); a/02115/16 (P-235); a/02116/16 (P-97); a/02117/16 (P-366); a/02119/16 (P-214); a/02120/16 (P-352); a/02121/16 (P-1); and a/02149/16 (P-236) (represented by the CLR), redacting the following information: (i) Village/parish and identifying numbers appearing on the identity document; (ii) when a document attesting the kinship or identity is provided, village/parish where the document was compiled as well as names and functions of the persons making the statement; their signatures and stamps; and (iii) place where the application form was filled in if it refers to a specific place like hotel or guest house.

Further, confidential redacted versions of the applications of dual status individuals a/02102/16 (P-279); a/02104/16 (P-286); a/02107/16 (P-306); a/02108/16 (P-280); a/02113/16 (P-304); and a/02118/16 (P-281) (represented by the LRVs) shall also be filed, applying redactions to the same categories of information.

Finally, the Single Judge directs the Registry to file confidential redacted versions of the applications of dual status individuals a/06929/15 (P-268); a/06827/15 (P-249) and a/06935/15 (P-325) (represented by the CLR) as well as a/05125/15 (P-24); a/05560/15 (P-119); a/05737/15 (P-185); a/05882/15 (P-195); a/06547/15 (P-26); a/06773/15 (P-293); a/06802/15 (P-287); a/06926/15 (P-269); a/06973/15 (P-274) and a/07017/15 (P-282) (represented by the LRVs) who were admitted to participate in the proceedings at the pre-trial stage and for whom no lesser redacted versions was transmitted to the Defence yet.

Separate *ex parte* emails containing pre-marked redactions on the application forms will be sent to the Registry shortly.

Kind regards,

[REDACTED] on behalf of Trial Chamber IX.

From: Trial Chamber IX Communications
 Sent: 08 December 2016 16:24
 To: [REDACTED] Trial Chamber IX Communications
 [REDACTED]

[REDACTED];

Dear Counsel,

The Single Judge grants the request and directs the CLR and the LRs to review the applications of dual status individuals they represent and indicate whether information should be redacted by the filing deadline on Friday, 9 December 2016.

Kind regards,

[REDACTED] on behalf of the Chamber.

From [REDACTED]
 Sent: 05 December 2016 14:33
 To: Trial Chamber IX Communications

[REDACTED]

Dear Ms [REDACTED]

I would be grateful if you could convey the following request to the Chamber.

Having been notified of the below decision for reclassification, the Common Legal Representative respectfully asks the Chamber the possibility to review the application forms of the dual status individuals represented by her before they are transmitted to the Defence in their unredacted version.

The Common Legal Representative is aware of the precedent established at the pre-trial stage and followed by the Single Judge. However, in her recollection, names of third parties are mentioned in the old application forms submitted until 2015. As a consequence, she respectfully contends that certain information may still need to be redacted in the application forms to protect the safety and well-being of other persons. The Common Legal Representative will be able to finalise her assessment by Friday this week.

Kind regards,
 Paolina Massidda

From: Trial Chamber IX Communications
 Sent: 05 December 2016 11:33
 To [REDACTED]

Subject: Reclassification as confidential of victim applications of dual status individuals

Dear Counsel,
 Dear Colleagues,

By way of follow-up to the "Decision Concerning 610 Victim Applications (Registry Report ICC-02/04-01/15-544) and 1183 Victim Applications (Registry Report ICC-02/04-01/15-556)" (filing number ICC-02/04-01/15-586), the Single Judge notes that the Prosecution has identified 25 victims whose applications were transmitted by way of the

Registry's third report (ICC-02/04-01/15-556), who are also Prosecution witnesses (see paras 10-11 of "Prosecution's observations on 1183 victim applications for participation, notified on 7 October 2016", ICC-02/04-01/15-576).

Thus, the identities of these applicants have already been disclosed to the Defence.

Accordingly, the Single Judge, acting pursuant to Regulation 23 *bis* of the Regulations of the Court, directs the Registry to reclassify the unredacted versions of these applications as confidential.

Kind regards,

A black rectangular box redacting the signature of the Single Judge.

on behalf of Trial Chamber IX.