

ANNEX II

PUBLIC

From: Trial Chamber IX Communications
Sent: 21 July 2017 12:38
To: [REDACTED]
Cc: [REDACTED]

Subject: Disputed Redactions [T-70 and T-71] and redaction to T-77
Attachments: RE: Redactions to Transcript 70; RE: Redactions to Transcript 71 related to P-0142; RE: Redactions to Transcript 77

Follow Up Flag: Follow up
Flag Status: Flagged

Dear all,

With respect to the disputed redactions to the transcripts related to P-142 (ICC-02/04-01/15-T-70 and ICC-02/04-01/15-T-71), the Chamber finds the following:

- Regarding Transcript 70, the Prosecution's request to redact the [REDACTED] [REDACTED] is granted. [REDACTED]
 [REDACTED]
- Regarding Transcript 71 and the Defence's proposals for the lifting of redactions and an annotation:
 - o The Defence's proposal that a footnote be added to a portion of the transcript where the OTP proposes partial lifting of redactions is rejected. A transcript is the full and accurate record of the proceedings and presents an authoritative record of the hearing and should not contain explanatory annotation.
 - o As to the the lifting of redactions to discussion of the audio tape where Buk Abudema and Mr Ongwen discuss [REDACTED]
 [REDACTED]

One portion of the transcript, which clarifies the type of communication being discussed may be lifted (T-71, p. 56 line 15 – p. 57, line 2). [REDACTED]
 [REDACTED]

As for Transcript 77, the Chamber grant the Defence request to redact [REDACTED] in T-77, p. 2 line 14. The Chamber is of the view that this has a minimal impact upon the public record.

The Chamber notes that the public redacted versions of T-70, T-71 and T-77 are currently not available to the public. Once the appropriate redactions has been implemented, the authoritative public redaction version of the transcripts can be published to the public.

Best,

Trail Chamber IX