

ANNEX 12

Public redacted

From: Trial Chamber X Communications
Sent: 14 February 2020 14:07
To: Dutertre, Gilles; [REDACTED]
Cc: Trial Chamber X Communications
Subject: RE: Inadvertent disclosure [REDACTED]

Follow Up Flag: Follow up
Flag Status: Flagged

Dear counsel,

The Prosecution is authorised to proceed as proposed in the email below.

Kind regards,

On behalf of the Single Judge of TCX

From: Dutertre, Gilles
 Sent: 13 February 2020 19:32
 To: Trial Chamber X Communications
 Cc: [REDACTED]
 Subject: Inadvertent disclosure

Dear Trial Chamber X,

The Prosecution has just discovered that information which, when read together with other disclosed items of evidence, could potentially identify [REDACTED], was inadvertently left unredacted in document [REDACTED] (at page [REDACTED]). This document was disclosed to the Defence on [REDACTED] in [REDACTED].

The Prosecution seeks the Chamber's authorisation :

-) to re-disclose [REDACTED] to the Defence after applying the proper redaction to the identifying information that was inadvertently disclosed (and with no pseudonym : this would defeat the purpose of the redaction), and
-) to instruct CMS to remove immediately from eCourt this document that contains the inadvertent disclosure. It will be replaced with the newly disclosed document with the proper redaction.

Consistent with the Protocol on the handling of confidential information (ICC-01/12-01/18-40-Anx), the Prosecution is about to inform the Defence about this

inadvertent disclosure to ensure that the item containing the inadvertent disclosure is not distributed within the team or to the suspect and that any digital or printed copies of this document are destroyed.

The Prosecution will also inform the VWS to ensure that the inadvertent disclosure concerning [REDACTED] does not affect her security.

Kind regards,

Gilles Dutertre

PS: The PTC granted the redaction to the identity of [REDACTED] in decision [REDACTED]
[REDACTED].

Dévouement - Intégrité - Respect
Dedication - Integrity - Respect