

# **Annex 6**

**PUBLIC**  
**REDACTED**

**From:** Trial Chamber X Communications  
**Sent:** 04 December 2020 13:34  
**To:** [REDACTED] Trial Chamber X Communications; Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication  
**Subject:** RE: List of material for submission regarding Witness MLI-OTP-P-0065

Dear counsel,  
 Dear colleagues,

The Chamber notes the Prosecution's request for an extension of time to submit its reply to the Defence's objections until 11 December. The Chamber notes that the Defence although not objecting to the extension sought, it submits that an extension until 8 December would be more proportionate.

The Chamber considers that good cause is shown, particularly considering the volume of the evidence concerned and the objections made thereto by the Defence. Accordingly, pursuant to Regulation 35 of the Regulations of the Court, the Chamber extends the deadline for the Prosecution to submit a reply to Wednesday, 9 December 2020.

Kind regards,

[REDACTED]  
 (On behalf of Trial Chamber X)

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**From:** Thomas, Molly  
**Sent:** 04 December 2020 09:33  
**To:** Trial Chamber X Communications ; Al Hassan Prosecution Team ; D28 Al Hassan Defence Team ; V43 Victims Al Hassan Team ; Associate Legal Officer-Court Officer  
**Subject:** RE: List of material for submission regarding Witness MLI-OTP-P-0065

Dear Trial Chamber X,  
 Dear Colleagues,

The Defence does not oppose the granting of an extension to the Prosecution but submits that the requested length of the extension is disproportionate.

*First*, the time limit applicable to the Prosecution's response under paragraph 34(iv) of ICC-01/12-01/18-789-AnxA would normally be one day and the Prosecution have requested a period of one week. While the Defence did receive a one week extension for its objections, this represented an extension for what would normally be a three day period under the directions (triple the normal time). The request for an extension is therefore disproportionate and the Prosecution should instead receive an extension commensurate with the Defence's extension (i.e. 3 days).

*Second*, while the objections are contained in a 29 page document, the substantive submissions as concerns each category of objections comprise only 7 pages, as the remainder of the document simply consists of tables setting out which evidentiary items are covered by each category of objection, the discussion of this evidentiary item in the transcript and, in respect of Category D, the time stamps of edit points.

In the premises of these two factors, the Prosecution's request for an extension is disproportionate and the Chamber should instead set a proportionate deadline of Tuesday 8 December.

Best regards,

[REDACTED] (on behalf of the Al Hassan Defence)

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From: Dutertre, Gilles [REDACTED]  
 Sent: 03 December 2020 22:08  
 To: [REDACTED] Trial Chamber X Communications; Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team; Associate Legal Officer-Court Officer  
 Subject: RE: List of material for submission regarding Witness MLI-OTP-P-0065

Dear Trial Chamber X,

The Prosecution respectfully requests a variation of deadline pursuant to regulation 35 (2) for filing its response to the Defence's Objections (paragraph 34 (iv) of Annex A of the Directions on the conduct of proceedings) until next Friday 11 December.

There is good cause for this as the additional time is necessary to enable the Prosecution to meaningfully and fully address the Defence's objections which are detailed in a 29 page long document at a time when the Prosecution is also very busy *inter alia* with many 68-2 filings.

The Prosecution recalls that the Trial Chamber previously granted the Defence's Regulation 35 request to submit its response to the Prosecution's request for the submission of evidence (the List of objections) on the 3 December – instead of the 26 November as per paragraph 34 (iii) of Annex A of the Directions on the conduct of proceedings.

Best regards,

Gilles Dutertre

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**From:** [REDACTED]  
**Sent:** 03 December 2020 15:46  
**To:** Trial Chamber X Communications [REDACTED]; Al Hassan Prosecution Team [REDACTED]  
 [REDACTED] D28 Al Hassan Defence Team [REDACTED]  
 V43 Victims Al Hassan Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED]  
**Subject:** RE: List of material for submission regarding Witness MLI-OTP-P-0065

Dear Trial Chamber X,  
 Dear Colleagues,

Pursuant to paragraph 34(iii) of ICC-01/12-01/18-789-AnxA and the Chamber's 'Decision on Request for the variation of deadlines for the submission of evidence in relation to P-0065' communicated *via* email on 23 November 2020 at 13.10 granting the Defence an extension until today, 3 December 2020, to submit its objections, the Defence provides its Objections to the Prosecution List of Material for Submission for Witness P-0065.

In the **attached** document, the Defence has set out the items objected to and the reasons for objection.

Best regards,

[REDACTED] (on behalf of the Al Hassan Defence)

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From: Dutertre, Gilles [REDACTED]  
 Sent: 23 November 2020 17:26  
 To: Trial Chamber X Communications; Taylor, Melinda; [FNSitaluvengika](#) [REDACTED] Kassongo, Mayombo; Doumbia, Seydou  
 Cc: B [REDACTED]  
 [REDACTED] D28 Al Hassan Defence Team; V43 Victims Al Hassan Team;  
 Subject: List of material for submission regarding Witness MLI-OTP-P-0065

Chère Chambre de Première Instance X et Chers Collègues,

Conformément au paragraphe 34. ii. de l'annexe ICC-01/12-01/18-789-AnnA, l'Accusation vous prie de bien vouloir trouver en pièce jointe la liste de tous les éléments dont la soumission est requise concernant le témoin P-0065.

Respectueusement,

Gilles Dutertre

Dévouement - Intégrité - Respect  
Dedication - Integrity - Respect

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