

Annex 25

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From: Trial Chamber X Communications
Sent: 27 October 2020 13:00
To: 'D28AlHassanDefenceTeam'; Al Hassan Prosecution Team;
 'V43LRVTeam'; Office of the Director DJSS
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber X Communications
Subject: TC X - Decision on the Defence request to address submissions the Panel of medical experts

Dear Counsel,
 Dear Colleagues,

On 22 October 2020, the Registry filed the 'Report on Timeline for the Completion of the Medical Examination by the Experts Appointed for the Purposes of Rule 135 of the Rules of Procedure and Evidence' (filing 1124-Conf). A letter from the Panel was annexed to the report.

On the same date (email from Defence at 18:10), the Defence requested authorisation to address submissions to the independent experts in relation to the annexed letter. The Defence seeks to address two discrete points regarding the provision of additional medical records and Mr Al Hassan's consent to meet the experts.

As regards the first issue, the Chamber was informed by the Registry on 23 October that the Medical Unit of the Detention Centre is currently in the process of compiling an index of Mr Al Hassan's medical records, and that this index will be provided to the Defence no later than 26 October 2020 (Email from the Registry to the Chamber and the parties and participants, at 12:21).

On the understanding that the Defence is now in possession of an index of all medical records of the accused at the Detention Centre, the Single Judge invites the Defence to consult with Mr Al Hassan to determine whether he consents to the provision of the medical records to the Panel.

The Single Judge notes the preference of the Panel to receive all relevant records before commencing their examination, and requests that the Defence obtain Mr Al Hassan's consent as soon as practicable.

The Registry should promptly transmit all medical records to the Panel, should Mr Al Hassan agree to the provision of the records.

As regards the second issue, the Single Judge appreciates the Defence meeting with Mr Al Hassan for the purpose of obtaining his consent to be examined by the Panel.

At this juncture, the Single Judge does not consider it necessary for the Defence to directly address submissions to the Panel.

Rather, the Defence is requested to obtain Mr Al Hassan's consent regarding the two issues identified above, and inform the Chamber of Mr Al Hassan's position as soon as practicable.

The Registry is instructed to inform the Panel that, as regards the aforementioned issues, Mr Al Hassan's consent is being sought by the Defence, and that the Panel will be duly informed of his position.

Kind regards,

On behalf of the Single Judge of Trial Chamber X