

ANNEX 23

PUBLIC

[REDACTED]

From: Trial Chamber V Communications
Sent: 06 August 2021 16:28
To: Trial Chamber V Communications; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; VWS Legal
Cc: Chamber Decisions Communication; Associate Legal Officer-Court Officer
Subject: Chamber's Determination of Prosecution Request under Rule 68(3) of the Rules

Dear counsel,

The Chamber notes the 'Prosecution's Request for the Formal Submission of the Prior Recorded Testimony of P-0306 pursuant to Rule 68(3)' (ICC-01/14-01/18-1057-Conf, the 'Request') and the participants' responses thereto (ICC-01/14-01/18-1079-Conf and ICC-01/14-01/18-1081-Conf). The Chamber also notes that P-0306 is scheduled to testify during the [REDACTED] evidentiary block, between [REDACTED] email from the Chamber, 3 June 2021, at 16:24; email from the Prosecution, 3 August 2021, at 16:14).

With a view to ensuring the efficiency and expeditiousness of the proceedings and in order to facilitate the participants' and the Registry's preparations, the Chamber hereby communicates its determination of the Request with full reasons to follow. The Chamber rejects the Prosecution's request to introduce the prior recorded testimony of witness P-0306 pursuant to Rule 68(3) of the Rules.

Kind regards, TC V