

ANNEX 6

PUBLIC

From: [REDACTED]
Sent: 15 April 2021 10:09
To: OTP CAR IIB Managers; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Trial Chamber V Communications; Chamber Decisions Communication
Subject: Chamber's Determination of Prosecution Requests under Rule 68(3) of the Rules
Follow Up Flag: Follow up
Flag Status: Flagged

Dear counsel,

The Chamber notes the Prosecution's requests to introduce the prior recorded testimonies of witnesses P-2012, P-0801, P-2027 and P-2841 under Rule 68(3) of the Rules of Procedure and Evidence (the 'Rules') (ICC-01/14-01/18-861-Conf, ICC-01/14-01/18-900-Conf, ICC-01/14-01/18-918-Conf and ICC-01/14-01/18-919-Conf, respectively) (the 'Applications') and the participants' responses thereto (ICC-01/14-01/18-920-Conf and ICC-01/14-01/18-937-Conf). The Chamber also notes that the above-mentioned witnesses are scheduled to testify during the second evidentiary block, between 26 April and 12 May 2021 (email from the Prosecution, 12 April 2021, at 19:25; email from the Chamber, 18 February 2021, at 09:20).

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 Applications with full reasons to follow. The Chamber grants the Prosecution's requests to introduce the prior recorded testimonies of witnesses P-2012, P-2027 and P-2841, subject to the fulfilment of the legal requirements of Rule 68(3) of the Rules during the hearings, and rejects the Prosecution's request to introduce the prior recorded testimony of witness P-0801.

Kind regards, TC V