

ANNEX 8

PUBLIC

From: Trial Chamber V Communications
Sent: 15 April 2021 12:20
To: Vanderpuye, Kweku
Cc: D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; OTP CAR IIB Case Management; OTP CAR IIB Operations; [REDACTED] Chamber Decisions Communication; Trial Chamber V Communications
Subject: RE: UN Request for Confidential Transcripts - P-0287

Dear Counsel,

The Chamber takes note of the Prosecution's request below, in which it seeks the Chamber's leave to 'transmit the confidential transcripts of Aurelien Llorca's 24 and 25 March 2021 testimony to the UN Office of Legal Affairs' (the 'Transcripts' and the 'Request', respectively).

Noting that the witness's testimony was conducted in the presence of a UN representative appointed by the UN Secretary General, as authorised by the Chamber (see ICC-01/14-01/18-907-Conf, para. 88, p. 32), who thus became privy to the information contained in the Transcripts, and further considering the general obligations between the Court and the UN to cooperate and exchange information (see Negotiated Relationship Agreement between the International Criminal Court and the United Nations, Articles 3, 5), the Chamber grants the Request.

Kind regards, TC V

From: Vanderpuye, Kweku [REDACTED]
Sent: 12 April 2021 12:28
To: Trial Chamber V Communications [REDACTED]
Cc: D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]; OTP CAR IIB Case Management [REDACTED]; OTP CAR IIB Operations [REDACTED]
Subject: UN Request for Confidential Transcripts - P-0287

Dear Trial Chamber V,

The Prosecution seeks the Chamber's leave to transmit the confidential transcripts of Aurelien Llorca's 24 and 25 March 2021 testimony to the UN Office of Legal Affairs ("UN OLA"). UN OLA has requested the transcripts further to the conditions of Mr Llorca's testimony, granted by the Chamber in its 1 April 2021 Rule 68(3) Decision (ICC-01/14-01/18-907-Conf, para. 88). The Prosecution considers that UN OLA's request is in line with these conditions which provided, *inter alia*, for the presence of a UN representative throughout the witness's testimony. Thus, UN OLA would be privy to the confidential information in any event. That said, should the Chamber grant leave, the Prosecution will advise UN OLA of its need to abide by strict confidentiality in its retention of the corresponding transcripts.

A formal filing can be prepared, should the Chamber deem it necessary in the circumstances.

Thank you for your consideration.

Kind regards,

Kweku Vanderpuye