

Annex 4

Confidential

From: Trial Chamber X Communications
Sent: 12 April 2021 14:30
To: Al Hassan Prosecution Team
Cc: Trial Chamber X Communications; 'D28 Al Hassan Defence Team'; Chamber Decisions Communication; V43 Victims Al Hassan Team
Subject: TC X - Single Judge decision on Prosecution request for authorisation of contacts between [REDACTED]

Dear Counsel,

With regard to the Prosecution's request for [REDACTED], the Single Judge finds that it would be helpful to proceed as suggested. The Single Judge is notably of the view that given this is a highly technical matter, this would contribute to the Chamber's search for the truth. Further, in the circumstances, and in particular having considered the fact that [REDACTED], the Single Judge considers that this course of action is appropriate, would ensure full transparency, and would not cause prejudice. It is noted in this regard that, in addition to the disclosure proposed by the Prosecution, both witnesses will be available for cross-examination, including to answer any question on the specific issues identified as well as the most recent contacts themselves. The Single Judge therefore grants the request, unless the Defence objects via email by 17:00 today.

Kind regards,

[REDACTED]
 On behalf of the Single Judge of TC X

From: Dutertre, Gilles <Gilles.Dutertre[REDACTED]>
Sent: 08 April 2021 10:03
To: Trial Chamber X Communications <TrialChamberXCommunications[REDACTED]>; 'D28 Al Hassan Defence Team' <D28AlHassanDefenceTeam[REDACTED]>
Cc: Al Hassan Prosecution Team <AlHassanProsecutionTeam[REDACTED]>
Subject: Contact for [REDACTED]

Dear Trial Chamber X,

The Prosecution requests authorization for Witness [REDACTED] to liaise with Witness [REDACTED] for the purpose of clarifying two specific issues which have arisen during the witness preparation: (i) the exact figure of the panoramic images which were produced in total and (ii) the total amount of pictures used to create the 101 panoramas selected by the Mali team.

Clarity on both these specific technical issues prior to the testimony of both Witnesses would be very helpful to fully understand the evidence.

Both Witnesses would be asked to draft an Investigative Report that would be disclosed on this matter and would be reminded not to address any other issue.

Best regards,

Gilles Dutertre

PS: the logs for both witnesses are being finalised.