

Annex 24

Confidential

From: Trial Chamber X Communications
Sent: 30 April 2021 10:00
To: Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team
Cc: Chamber Decisions Communication; Trial Chamber X Communications; Associate Legal Officer-Court Officer
Subject: TC X - Single Judge decision on Prosecution request for addition to List of Evidence and List of material in relation to P-0617

Dear Counsel,

The Single Judge notes that the Prosecution seeks to add to its List of Evidence and List of Material for P-0617 a translation of P-0617's CV. It is noted that this document ([REDACTED]) is a one-page translation which was recently prepared and disclosed to the Defence on 29 April 2021. The Single Judge notes that this request is limited in scope and that it is not opposed by the Defence. Considering that the requested late addition is in the interest of justice and determination of the truth, and that it will not result in any prejudice, the Single Judge hereby grants the request.

Best regards,

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

From: Taylor, Melinda <mtaylor [REDACTED]>
Sent: 29 April 2021 16:47
To: [REDACTED]; Trial Chamber X Communications <TrialChamberXCommunications [REDACTED]>
Cc: Dutertre, Gilles [REDACTED]; [REDACTED] D28 Al Hassan Defence Team <D28AlHassanDefenceTeam [REDACTED]>; V43 Victims Al Hassan Team <V43LRVTeam [REDACTED]>
Subject: RE: Regulation 35 request in relation to P-0617

Dear Trial Chamber X,

The Defence does not oppose this request.

Kind regards

Melinda Taylor on behalf of the Al Hassan Defence

From: [REDACTED]
Sent: 29 April 2021 16:46
To: Trial Chamber X Communications
Cc: Dutertre, Gilles; [REDACTED] D28 Al Hassan Defence Team; V43 Victims Al Hassan Team
Subject: Regulation 35 request in relation to P-0617

Dear Trial Chamber X,

The Prosecution seeks the Chamber's authorisation to add to its List of Evidence ("LOE"), and to its List of Material for P-0617, [REDACTED] which is an English translation of P-0617's *Curriculum Vitae* (CV).

In preparation for the examination of P-0617, the Prosecution discovered that the translation of P-0617's CV, [REDACTED] had not been completed. The translation was urgently prepared and disclosed in Trial INCRIM package 124 today. The original CV was received in October 2020 and disclosed in Trial INCRIM

package 99 on 23 October 2020. Upon the Prosecution's request, the Chamber authorised the addition of this CV to the LoE under regulation 35 of the Regulations of the Court (ICC-01/12-01/18-1267-Conf, para. 26, 30).

The Prosecution submits that granting the late addition sought is in the interest of justice and determination of the truth as it will assist the Chamber in understanding P-0617's professional background (*See e.g.* Decision on OTP Request to amend the LOE with 5 photographs from P-0007 issued via email on 01 September 2020 at 10:28; Decision on OTP Request to amend the LOE with 3 items in relation to P-0623 issued *via* email on 22 September 2020 at 13:23; Decision on the Prosecution's request to add items relating to P-0654 to its list of evidence, issued via email on 25 January 2021 at 16:16. *See also* ICC-01/04-01/07-2325-Red, para. 15).

As the Chamber has repeatedly found, transcripts and translations are to be regarded as "accessories of the items included in the List of Evidence, and ultimately for the benefit of the Defence and those in court, including to avoid the need for evidence to be read and/or interpreted live" (*See e.g.* Decision on Prosecution's Regulation 35 request and Defence's objections to material with P-0065, issued via email on 27 October 2020 at 13:24; Decision on Prosecution request to add items to the List of Evidence (P-0565 and P-0557), issued via email on 23 November 2020 at 11:22; Decision on the Prosecution's request to add items relating to P-0654 to its list of evidence, issued via email on 25 January 2021 at 16:16).

Given the limited scope of this request, any prejudice caused to the Defence is outweighed by its probative value. In any event, any prejudice is limited. The translation only consists of one page so that there is sufficient time to review it in advance of the witness' testimony next week.

Best regards,

 on behalf of Gilles Dutertre

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