

Annex 29

Confidential *ex parte*

Prosecution and Defence only

From: Trial Chamber X Communications
Sent: 04 May 2021 14:50
To: Taylor, Melinda; [REDACTED]; D28 Al Hassan Defence Team; Al Hassan Prosecution Team
Cc: Chamber Decisions Communication; Trial Chamber X Communications
Subject: TC X - Single Judge Decision on Prosecution request to file after 16h

Dear Counsel,

The Single Judge grants the below request and authorises the Prosecution to file its submissions due today after 16:00.

Best regards,

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

From: Taylor, Melinda <mtaylor[REDACTED]>
Sent: 04 May 2021 13:40
To: [REDACTED]; Trial Chamber X Communications
 <TrialChamberXCommunications[REDACTED]>; D28 Al Hassan Defence Team
 <D28AlHassanDefenceTeam[REDACTED]>; Al Hassan Prosecution Team <AlHassanProsecutionTeam[REDACTED]>
Cc: Chamber Decisions Communication <ChamberDecisionsCommunication[REDACTED]>
Subject: RE: Prosecution request to file after 16h

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: 04 May 2021 13:24
To: Trial Chamber X Communications; D28 Al Hassan Defence Team; Al Hassan Prosecution Team
Cc: Chamber Decisions Communication
Subject: Prosecution request to file after 16h

Dear Trial Chamber X,

The Prosecution requests the Chamber's authorisation to file after 16h its submission due today providing a justification for contested redactions (together with an ex parte annex containing an unredacted copy of document [REDACTED]. [REDACTED])

The Prosecution will provide a courtesy copy of the filing to the Chamber, parties and participants.

Best regards,

[REDACTED] (on behalf of Gilles Dutertre)
 Trial Lawyer, Office of the Prosecutor

From: Trial Chamber X Communications <[TrialChamberXCommunications](#)[REDACTED]>
Sent: 29 April 2021 10:00

To: D28 Al Hassan Defence Team <[D28AlHassanDefenceTeam](#)<[REDACTED]>>; Al Hassan Prosecution Team <[AlHassanProsecutionTeam](#)<[REDACTED]>>
Cc: Trial Chamber X Communications <[TrialChamberXCommunications](#)<[REDACTED]>>; Chamber Decisions Communication <[ChamberDecisionsCommunication](#)<[REDACTED]>>
Subject: TC X - Single Judge directions related to Defence Request for lifting redactions and extension of time

Dear Counsels,

The Single Judge recalls the procedure for contested redactions contained in her decision on the evidence disclosure protocol (decision #546, para. 16; and PTC I decision #31, para. 31). For the adjudication of the below request from the Defence, the Single Judge directs that, by 4 May 2021, together with its submission providing a justification for the contested redactions, the Prosecution transmits *ex parte* to the Chamber an unredacted copy of document [REDACTED].

The Single Judge also instructs that any response to the Defence request for an extension of time be provided by 4 May 2021.

Best regards,

[REDACTED]

On behalf of the Single Judge of TC X

From: Taylor, Melinda <[mtaylor](#)<[REDACTED]>>
Sent: 28 April 2021 19:17
To: Trial Chamber X Communications <[TrialChamberXCommunications](#)<[REDACTED]>>
Cc: D28 Al Hassan Defence Team <[D28AlHassanDefenceTeam](#)<[REDACTED]>>; Al Hassan Prosecution Team <[AlHassanProsecutionTeam](#)<[REDACTED]>>
Subject: Request for lifting redactions

Dear Trial Chamber X,

On 1 April 2021, the Prosecution filed its *application under rule 68(2)(c) to introduce into evidence the prior recorded testimony and associated material of Prosecution Witness* [REDACTED]. On the same day, the Single Judge set the deadline for responses to the Application to 45 days after disclosure of [REDACTED] or C.O.B. on 21 May 2021. On 8 April and 14 April 2021, the Defence wrote to the Prosecution to request the lifting of certain redactions to the statement and associated material of Witness [REDACTED]. The Prosecution responded on 23 April 2021, partially lifting the requested redactions. On the same day, the Defence responded, reiterating its request for the lifting of redactions to [REDACTED] and the disclosure of the identity of [REDACTED]. On the same day, the Prosecution responded, refusing both request (email exchange appended in full to this email).

The Defence avers that the requested disclosures are justified for the following reasons:

- [REDACTED] is a set of alleged medical documents with the names and other identifying information of the purported doctors and medical institutions redacted. The Prosecution's case [REDACTED] [REDACTED] is based almost entirely on these documents (and derivative expert opinion). The Defence has the right to challenge the authenticity of these documents, and the qualifications of the individuals in question to provide such opinions. In order to do so, the Defence must conduct investigations in order to verify the existence of the doctors and institutions in whose names the documents have been created. With the names of doctors and medical institutions redacted from the documents – the Defence is unable to verify or challenge their authenticity or expertise and is therefore prevented from effectively challenging [REDACTED]

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