

Annex 47

Confidential

From: Trial Chamber X Communications
Sent: 24 May 2021 14:17
To: Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43LRVTeam [REDACTED]
Cc: Chamber Decisions Communication; Trial Chamber X Communications
Subject: TC X: Third Decision of the Single Judge on the disclosure of information related to Prosecution intermediary P-0572 - Confidential

Dear Counsel,

The Single Judge issues the present ruling [REDACTED] [REDACTED] of the 'Second Decision on the disclosure of information related to Prosecution intermediary P-0572' (ICC-01/12-01/18-1487-Conf, the 'Decision'). In light of the below ruling, [REDACTED] [REDACTED], the Single Judge finds it appropriate to render the present email decision 'confidential'.

The Single Judge appreciates the LRVs' efforts [REDACTED] The Single Judge also takes note of the updated information provided by the LRVs [REDACTED] [REDACTED]. While the Single Judge accepts that this information is of relevance to the determination rendered in the Decision, and deserves her consideration, and having in mind this Chamber's standard threshold for reconsideration requests, she finds that the information newly provided does not warrant reversing the Decision.

The Single Judge emphasises that the disclosure was not ordered because of a reliance by the Prosecution on an 'intermediary status' for P-0572. Quite to the contrary, at paragraph 8 of the Decision, it was found that 'beyond her role as a Prosecution intermediary, most notably in light of her involvement vis-à-vis Witness P-0570, [materiality] has been established'. This finding was reached in light of all information available at the time, including the additional information provided in the Addendum. Most notably, and while it was not specifically referred to in the Decision - out of an abundance of caution -, the Single Judge finds it appropriate to now indicate that the information considered includes, notably, the fact that P-0572's name already appears in the material disclosed in relation to P-0570 [REDACTED]. The Single Judge also recalls that she gave consideration to the fact that 'the Defence expressed a particular interest in tracing P-0572's involvement in relation to the evidence in this case' (Decision, para. 9), referring to the Defence's submissions which in turn refer to P-0572 by name [REDACTED] [REDACTED] (ICC-01/12-01/18-1466-Conf, para. 14).

Finally, and in light of the specifications [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

Accordingly, the LRVs' Request is dismissed.

Kind regards,
 [REDACTED]

On behalf of the Single Judge of TC X