

Annex 58

Confidential

From: Trial Chamber X Communications
Sent: 02 June 2021 09:50
To: D28 Al Hassan Defence Team (D28AlHassanDefenceTeam[REDACTED] V43 Victims Al Hassan Team (V43LRVTeam[REDACTED]); Al Hassan Prosecution Team
Cc: Chamber Decisions Communication; Trial Chamber X Communications; Associate Legal Officer-Court Officer
Subject: TC X - Decision on Prosecution's request to add four items relating to P-0641 to its List of Evidence

Dear counsel,

The Single Judge refers to the Prosecution's request under Regulation 35(2) of the Regulations to add four items to its List of Evidence (ICC-01/12-01/18-1168-Conf), these being transcripts and translations of two videos relating to witness P-0641 that are already in the list.

The Single Judge reiterates the Chamber's previous findings that transcripts and translations are to be regarded as accessories of items already included in the List of Evidence as it is 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. Thus, the Single Judge considers the late addition to be in the interest of justice and determination of the truth, and that no prejudice arises to the Defence.

Accordingly, the Single Judge grants the request and authorises the addition of [REDACTED] to the Prosecution's List of Evidence.

Kind regards,

On behalf of the Single Judge of Trial Chamber X

From: [REDACTED]
Sent: 01 June 2021 13:46
To: Trial Chamber X Communications <TrialChamberXCommunications[REDACTED]>
Cc: D28 Al Hassan Defence Team (D28AlHassanDefenceTeam[REDACTED])
 <D28AlHassanDefenceTeam[REDACTED]>; V43 Victims Al Hassan Team (V43LRVTeam[REDACTED])
 <V43LRVTeam[REDACTED]>; Al Hassan Prosecution Team <AlHassanProsecutionTeam[REDACTED]>
Subject: Witness P-0641: Regulation 35 request ICC-01/12-01/18-1168-Conf

Dear Trial Chamber X,

The Prosecution is preparing an updated List of Evidence ("LOE") following decisions made by the Single Judge.

For that purpose, we would be very grateful for clarification as to when it is expected that a decision will be made regarding the Prosecution request (ICC-01/12-01/18-1168-Conf, para.71-75), under regulation 35 to add to the LOE, four transcripts and translations [REDACTED]

The prior request made is relevant to the upcoming testimony of witness P-0641.

Thank you very much in advance.

Kind regards,

Trial Lawyer