

Annex 70

Confidential *ex parte*

Defence and Registry only

From: Trial Chamber X Communications
Sent: 24 June 2021 12:02
To: Taylor, Melinda; D28 Al Hassan Defence Team
Cc: Associate Legal Officer-Court Officer; Office of the Director DJSS; VWS Legal; [REDACTED]; Trial Chamber X Communications; Chamber Decisions Communication
Subject: TC X - Ex parte Single Judge decision on Defence Urgent request to review redactions applied to [REDACTED]

Dear Counsel,

The Single Judge notes the below request from the Defence (*ex parte* email of 23 June 2021 at 19:45) seeking to be provided with a lesser redacted version of [REDACTED] [REDACTED] [REDACTED]. It is recalled that this material was initially transmitted to the Defence pursuant to the Single Judge's email ruling of 24 May 2021 at 13:43 under Article 57(3)(b) of the Rome Statute.

The Single Judge has reviewed the contested redactions and finds that the information redacted is, as submitted by the Defence, of potential relevance to the case. The Single Judge also considers that lifting these redactions is likely to pose no risk to the security or privacy of either [REDACTED] or any third party. Accordingly, the Single Judge instructs the Registry to prepare a lesser redacted version of [REDACTED], lifting all redactions at:

- Page 2, para. 45;
- Pages 2 to 3, para. 51;
- Page 3, para. 67;
- Page 4, para. 71;
- Page 4, para. 77;
- Page 4, para. 79; and
- Page 4, paras 84 and 85.

The Registry is instructed to transmit this lesser redacted version to the Defence by Friday 25 June 2021 C.O.B.

Further, the Single Judge directs that the names '[REDACTED] or [REDACTED]', [REDACTED] and [REDACTED] be left unredacted in the preparation of [REDACTED] for the purpose of their transmission to the Al Hassan Defence team.

Kind regards,

[REDACTED]
 On behalf of the Single Judge of Trial Chamber X

From: Taylor, Melinda <mtaylor[REDACTED]>
Sent: 23 June 2021 19:45
To: Trial Chamber X Communications <TrialChamberXCommunication[REDACTED]>
Cc: D28 Al Hassan Defence Team <D28AlHassanDefenceTeam[REDACTED]>; Associate Legal Officer-Court Officer <AssociateLegalOfficer-CourtOfficer[REDACTED]>
Subject: Urgent request to review redactions

Your Honour, Dear Single Judge,

The Defence respectfully requests the Single Judge to urgently review the attached document [REDACTED] [REDACTED] with a view to lifting redactions that clearly concern facts related to incidents and witnesses in this case and not the private life of either interlocutors.

The document is [REDACTED] between [REDACTED] [REDACTED] which was recently transmitted to the Defence.

From line 33 onwards, [REDACTED] [REDACTED]

At line 45, [REDACTED] [REDACTED] His description of the allegations has been redacted, thus depriving the Defence of the ability to obtain access to exculpatory information.

At line 51, [REDACTED] [REDACTED] key words appear to be redacted.

At line 67, [REDACTED] [REDACTED] but words or names have been redacted which impact on the Defence's ability to understand his approach.

At line 71, [REDACTED] [REDACTED] [REDACTED] The identity of the person redacted appears to be either [REDACTED].

At line 79, [REDACTED] is referring to [REDACTED] [REDACTED]. The names are redacted.

The above information relates directly to the charges in this case and [REDACTED]'s credibility. The names and redacted allegations are also likely to be known to the Defence. The redacted information also does not appear to concern the private or family life of the interlocutors.

The Defence expresses its appreciation advance for the Single Judge's consideration of this urgent request.

Kind regards
Melinda Taylor on behalf of the Al Hassan Defence

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