

Annex 10

Confidential

[REDACTED]

From: Trial Chamber X Communications
Sent: 14 July 2021 19:33
To: Al Hassan Prosecution Team; D28 Al Hassan Defence Team; V43 Victims Al Hassan Team
Cc: Associate Legal Officer-Court Officer; Trial Chamber X Communications; Chamber Decisions Communication
Subject: TC X - Directions on the cross examination of P-0150 [REDACTED]

Dear counsel,

[REDACTED]

While the Defence may use this material to raise issues of credibility during cross-examination, this is not without limitations especially in light of the purpose for which the material was ordered disclosed. Cross-examination must be respectful of the witness's right to privacy and well-being and must be relevant to the issues in the case. While the Chamber must ensure the fair trial rights of the accused, it also has a statutory obligation to protect the safety, well-being, dignity and privacy of witnesses.

Pursuant to Article 68(1) of the Statute, the Chamber instructs counsel to limit questions solely to communications that P-0150 had with other individuals that touch upon the facts of this case or go to concrete matters of credibility related to this case. Counsel is not allowed to go on a 'fishing expedition' with respect to P-0150's general conversations nor to seek identifying information about individuals referenced in contexts unrelated to the facts in issue or concrete matters of credibility related to this case. Further counsel is to avoid questions which, without foundation, speculate as to ways in which conversations may have influenced or otherwise affected the witness's testimony.

Kind regards,

[REDACTED]
On behalf of Trial Chamber X