

Annex 36

Confidential

[REDACTED]

From: Trial Chamber X Communications
Sent: 22 September 2021 15:22
To: Kassongo, Mayombo; D28 Al Hassan Defence Team; Al Hassan Prosecution Team; [REDACTED]
Cc: Chamber Decisions Communication; Trial Chamber X Communications; 'V43LRVTeam [REDACTED]'
Subject: TC X : Single Judge ruling on Prosecution email request for leave to apply redaction code B.5

Dear Counsel,

Concerning the below request seeking leave to redact the VPRS reference number on each page of a document disclosed ([REDACTED]), the Single Judge is of the view that no risk has been identified which would justify the non-standard redaction sought under Rule 81(4) of the Rules. Having found that the first prong of the relevant test is not met (*see e.g.* decision ICC-01/12-01/18-684-Conf-Red, para. 14), the request is dismissed.

Kind regards,

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

From: Kassongo, Mayombo <mkassongo [REDACTED]>
Sent: 22 September 2021 12:29
To: Trial Chamber X Communications <TrialChamberXCommunications [REDACTED]>; D28 Al Hassan Defence Team <D28AlHassanDefenceTeam [REDACTED]>
Cc: Al Hassan Prosecution Team <AlHassanProsecutionTeam [REDACTED]>; Dutertre, Gilles <Gilles.Dutertre [REDACTED]>; Chamber Decisions Communication <ChamberDecisionsCommunication [REDACTED]>
Subject: Re: TC X : Single Judge ruling related to Prosecution email request for leave to apply redaction code B.5

Chère Chambre,

Le Représentant légal soumet à votre appréciation sa démarche initiale d'expurger le numéro de référence interne figurant sur le formulaire de demande de réparation individuelle [REDACTED]

[REDACTED]. Ce numéro n'est pas nécessaire à ce stade du procès Al Hassan. Il s'agit bien d'un numéro interne au greffe (VPRS) qui n'est pas utile pour la défense de M. Al Hassan. En tout état de cause, le Représentant légal se remet à la sagesse de la Chambre à ce propos.

Par précaution, le Représentant légal sollicite la communication exclusive de toute correspondance concernant [REDACTED] [REDACTED] (composée de moi-même,

[REDACTED] et [REDACTED] [REDACTED].

Cordialement,

Maître Mayombo KASSONGO
 Représentant Légal des Victimes
 Cour Pénale Internationale

From: Trial Chamber X Communications <[TrialChamberXCommunications](#)>
Sent: 20 September 2021 13:14
To: D28 Al Hassan Defence Team <[D28AlHassanDefenceTeam](#)>; Kassongo, Mayombo
 <[mkassongo](#)>
Cc: Al Hassan Prosecution Team <[AlHassanProsecutionTeam](#)>; V43 Victims Al Hassan Team
 <[V43LRVTeam](#)>; Dutertre, Gilles <[Gilles.Dutertre](#)>; Trial Chamber X Communications
 <[TrialChamberXCommunications](#)>; Chamber Decisions Communication
 <[ChamberDecisionsCommunication](#)>
Subject: TC X : Single Judge ruling related to Prosecution email request for leave to apply redaction code B.5

Dear Counsels,

The Single Judge requests that Counsel representing victims provides via email by C.O.B. on 22 September 2021 justifications for the requested redaction. Any response should be provided via email by C.O.B. on 27 September 2021.

Kind regards,

On behalf of the Single Judge of Trial Chamber X

From: Dutertre, Gilles <[Gilles.Dutertre](#)>
Sent: 20 September 2021 11:38
To: Trial Chamber X Communications <[TrialChamberXCommunications](#)>
Cc: 'D28 Al Hassan Defence Team' <[D28AlHassanDefenceTeam](#)>; Kassongo, Mayombo
 <[mkassongo](#)>; Al Hassan Prosecution Team <[AlHassanProsecutionTeam](#)>
Subject: email request for leave to apply redaction code B.5

Dear Trial Chamber X,

Pursuant to rule 81(4) of the Rules of Procedure and Evidence and paragraph 14 of Decision ICC-01/12-01/18-546, the Prosecution wishes to request for leave to apply redaction code B.5 for the redaction of the VPRS reference number [REDACTED] indicated on every page of [REDACTED]'s application for reparations [REDACTED].

The Prosecution received this reparations application form from the VPRS on 30 July 2021.

The Prosecution seeks to apply this redaction, pursuant to the request of the LRV [REDACTED] (Mr. Kassongo), prior to disclosure of the document to the Defence in the *Al Hassan* case:

-) This redaction is limited in scope;
-) This does not create any obstacle to understand the said reparation application form;
-) This does not cause any prejudice to the Defence.

The document attached contains other redactions [DOCUMENT HAS BEEN DELETED], applied pursuant to the redaction protocol.

Best regards,

Gilles Dutertre

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