

# **ANNEX 12**

**Public redacted**

[REDACTED]

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**From:** Trial Chamber X Communications  
**Sent:** 29 April 2020 10:37  
**To:** Taylor, Melinda  
**Cc:** [REDACTED] Trial Chamber X Communications  
**Subject:** Decision on the Defence Request to maintain the *ex parte* classification of ICC-01/12-01/18-764-Conf-Exp

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Dear Counsel,

The Single Judge has reviewed the [REDACTED] ( [REDACTED] the  
[REDACTED] the  
'Observations').

As rightly acknowledged by the Defence, the Single Judge considers that under the statutory framework, Defence requests under Article 57(3)(b) may be dealt with on a non-*ex parte* basis and Chambers have a discretion in deciding the appropriate confidentiality to be given to each discrete request.

With respect to the request at hand, having considered the arguments advanced by the Defence especially in its most recent observations, in particular the potential prejudice in this specific instance should the Defence Request [REDACTED] [REDACTED] be made available to the other party and participants, the Single Judge grants the relief sought in paragraph 19 of the Observations, namely to maintain the *ex parte* classification of the Defence Request.

Kind regards,

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