

ANNEX 9

Public redacted

From: Trial Chamber X Communications
Sent: 17 December 2019 14:46
To: Taylor, Melinda; [REDACTED]
 [REDACTED] Doumbia, Seydou; Nsita Luvengika, Fidel; Kassongo, Mayombo
Cc: Trial Chamber X Communications; Court Management-Court Records; [REDACTED]
Subject: TC X - Decision on Defence request seeking reclassification of ICC-01/12-01/18-527-Conf-Exp
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Counsels,

Concerning the Defence request for reclassification of ICC-01/12-01/18-527-Conf-Exp from 'confidential *ex parte*, Prosecution, Defence and VWU' to 'public', formulated in the below email dated 13 December 2019, at 15:48, the Single Judge notes the recent notification of a public redacted version of Prosecution request ICC-01/12-01/18-487-Conf-Exp and, pursuant to Regulation 23bis(3), hereby grants the requested reclassification. The Registry is instructed to proceed accordingly.

Kind regards,

On behalf of the Single Judge of Trial Chamber X

From: Taylor, Melinda
 Sent: 13 December 2019 15:48
 To: Trial Chamber X Communications; Dutertre, Gilles; [REDACTED]
 [REDACTED]; Doumbia, Seydou; Nsita Luvengika, Fidel; Kassongo, Mayombo
 Subject: Re: Decision of the Chamber on filing ICC-01/12-01/18-527

Dear Trial Chamber X Communications,

The Defence respectfully requests clarification of the following:

Although the title in the Prosecution motion is 'Confidential redacted version of "...", the request appears to have been filed confidential, *ex parte* Defence, Prosecution only, such that it is only available to the Prosecution, Defence and VWU.

Apart from the reference to this filing, the content of the Defence request is entirely public, and such, there is nothing to redact. The Defence therefore requests the Chamber to reclassify the request as public, if it is possible to do so at this juncture. If that is not possible due to the ongoing classification of the Prosecution request, then the Defence requests that its filing be reclassified as confidential, as per the Chamber's instruction.

Kind regards
 Melinda Taylor,
 On behalf of the Defence for Mr. Al Hassan

From: Trial Chamber X Communications [REDACTED]
Sent: 12 December 2019 17:24
To: Dutertre, Gilles [REDACTED]
 [REDACTED] Taylor, Melinda
 [REDACTED]
 [REDACTED] Doumbia, Seydou
 [REDACTED] Nsita Luvengika, Fidel; [REDACTED] Kassongo, Mayombo
 [REDACTED]
Cc: Trial Chamber X Communications <TrialChamberXCommunications@icc-cpi.int>
Subject: Decision of the Chamber on filing ICC-01/12-01/18-527

Dear counsel,

The Chamber notes the Defence's request (filing -527-Conf-Exp) seeking an extension of time limit to respond to the Prosecution's request (filing -487-Conf-Red). Preliminarily, the Chamber notes that the Defence has filed its request as confidential ex parte, although it refers to the confidential redacted version of the Prosecution request. Accordingly, the Chamber instructs the Defence to file a redacted version of its request.

As regards the merits of the Defence's request, the Chamber notes that the extension sought is limited. The current deadline is on 16 December 2019 and the request seeks extension until 19 December 2019. The Chamber also observes that the Prosecution does not oppose the extension of time limit. Moreover, bearing in mind the parties' recent submissions in preparation for this week's status conference and the upcoming judicial recess, the Chamber considers that the Defence's request is reasonable.

Accordingly, pursuant to Regulation 35 of the Regulations of the Court, and irrespective of the suspension of time limit during the judicial recess, the Chamber grants the Defence's request and extends the time limit for any response to filing -487 until **Thursday, 19 December 2019**.

Kind regards,

[REDACTED]
 On behalf of Trial Chamber X

From: Dutertre, Gilles
 Sent: 12 December 2019 14:07
 To: [REDACTED] Taylor, Melinda [REDACTED]
 [REDACTED] Doumbia, Seydou; Nsita Luvengika, Fidel; Kassongo, Mayombo
 Cc: Trial Chamber X Communications
 Subject: RE: Shortening of deadline to respond to filing ICC-01/12-01/18-527

Chère Chambre de Première Instance X,

L'Accusation ne s'oppose pas à cette demande.

Cordialement,

Gilles

Dévouement - Intégrité - Respect
Dedication - Integrity - Respect

From: [REDACTED]
Sent: 12 December 2019 11:38
To: Dutertre, Gilles; [REDACTED] Taylor, Melinda; [REDACTED]
[REDACTED]; Doumbia, Seydou; Nsita Luvengika, Fidel; Kassongo, Mayombo
Cc: Trial Chamber X Communications
Subject: Shortening of deadline to respond to filing ICC-01/12-01/18-527

Dear parties and participants,

Pursuant to Regulation 34 of the Regulations of the Court, the parties and participants are directed submit their responses to filing ICC-01/12-01/18-527, if any, via e-mail, by **15.00 today**, Thursday, 12 December 2019.

Kind regards,

[REDACTED]
On behalf of Trial Chamber X

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