

ANNEX 19
PUBLIC
REDACTED

From: Trial Chamber V Communications
Sent: 23 May 2022 18:35
To: OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (ICC-01/14-01/18-1423-Conf)
Attachments: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf); RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf); RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf); RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf); RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf); RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear all,

The Chamber takes note of the request by P-2475's counsel (Urgent Application for Assurances under Rule 74(3)(c) of the Rules, ICC-01/14-01/18-1423-Conf) (the 'Request'), as well as the responses by the CLRV, the Yekatom Defence, the Prosecution, and the Ngaissona Defence, indicating that they do not intend to respond to or oppose the Request, deferring to the Chamber's discretion (*see* emails attached).

On the basis of the available information, the Chamber considers there to be a risk that the witness may incriminate himself. Nonetheless, the Chamber weighed the need of protecting the witness against the principle of publicity of the proceedings and interests of justice, and considers that general assurances under Rule 74 of the Rules from the outset of the hearing, as requested by counsel, are not necessary. The Request is therefore rejected.

Should issues of self-incrimination arise during the hearing, the Chamber will address them on a case-by-case basis. In this regard, the Chamber notes that the witness may consult his counsel at any point and may object to making any statements that might tend to incriminate him pursuant to Rule 74(3)(a) of the Rules.

Participants should also be extra vigilant during their examination in relation to areas of potential self-incrimination.

Lastly, the Chamber informs Mr Golubok that P-2475's identity will in any case be concealed from the public by virtue of the Chamber's 'Decision on the Prosecution Requests for In-Court Protective Measures for 73 Trial Witnesses', ICC-01/14-01/18-906-Red2, paras 50, 52, p. 45, in which it granted the use of a pseudonym, and voice and face distortion for the witness, pursuant to Article 68 of the Statute.

The Registry is ordered to inform Mr Golubok of this decision.

Kind regards,

TC V

From: Massidda, Paolina
Sent: 23 May 2022 17:18
To: Trial Chamber V Communications
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Subject: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear All,
 The CLR of the victims of the other crimes will not file a response.
 Kind regards,
 Paolina Massidda

From: Trial Chamber V Communications [REDACTED]
Sent: 23 May 2022 17:15
To: Trial Chamber V Communications [REDACTED] OTP CAR IIB Managers
 <[REDACTED] OTP CAR IIB Operations [REDACTED]; OTP CAR IIB Case Management [REDACTED] D29 Yekatom Defence Team
 [REDACTED] D30 Ngaissona Defence Team
 [REDACTED] V44 LRV Team OPCV [REDACTED] V44 LRV Team
 [REDACTED]; V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED]
Subject: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear all,

The Single Judge takes note of the request by P-2475's Rule 74 duty counsel notified today (Urgent Application for Assurances under Rule 74(3)(c) of the Rules, 23 May 2022, ICC-01/14-01/18-1423-Conf).

Noting that P-2475's testimony will commence tomorrow, 24 May 2022, responses to the request, if any, should be submitted today, by **18:00**.

Kind regards,

TC V

From: Suprun, Dmytro
Sent: 23 May 2022 17:29
To: Trial Chamber V Communications; OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication
Subject: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear Trial Chamber V,

The Common Legal Representative of the former child soldiers wishes to inform the Trial Chamber that he does not intend to respond to the below request.

Kind regards,
Dmytro Suprun

From: Trial Chamber V Communications [REDACTED]
Sent: 23 May 2022 17:15
To: Trial Chamber V Communications [REDACTED] OTP CAR IIB Managers [REDACTED] OTP CAR IIB Operations [REDACTED] OTP CAR IIB Case Management [REDACTED] D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED]
Subject: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear all,

The Single Judge takes note of the request by P-2475's Rule 74 duty counsel notified today (Urgent Application for Assurances under Rule 74(3)(c) of the Rules, 23 May 2022, ICC-01/14-01/18-1423-Conf).

Noting that P-2475's testimony will commence tomorrow, 24 May 2022, responses to the request, if any, should be submitted today, by **18:00**.

Kind regards,

TC V

From: [REDACTED]
Sent: 23 May 2022 17:34
To: Trial Chamber V Communications; OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication
Subject: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear Trial Chamber V,

The Defence for Mr Yekatom does not intend to respond to the 'Urgent Application for Assurances under Rule 74 (3)(c) of the Rules' (ICC-01/14-01/18-1423-Conf) and respectfully defers to the Chamber's discretion.

Best regards,

[REDACTED]
Case manager, Yekatom Defence

From: Trial Chamber V Communications [REDACTED]
Sent: 23 May 2022 17:15
To: Trial Chamber V Communications [REDACTED] OTP CAR IIB Managers [REDACTED]; OTP CAR IIB Operations [REDACTED] OTP CAR IIB Case Management [REDACTED] D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED]
Subject: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear all,

The Single Judge takes note of the request by P-2475's Rule 74 duty counsel notified today (Urgent Application for Assurances under Rule 74(3)(c) of the Rules, 23 May 2022, ICC-01/14-01/18-1423-Conf).

Noting that P-2475's testimony will commence tomorrow, 24 May 2022, responses to the request, if any, should be submitted today, by **18:00**.

Kind regards,

TC V

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From: [REDACTED]
Sent: 23 May 2022 17:49
To: Trial Chamber V Communications; OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication
Subject: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear Trial Chamber V,

The Prosecution does not oppose to the 'Urgent Application for Assurances under Rule 74 (3)(c) of the Rules' (ICC-01/14-01/18-1423-Conf), and we do not intend to respond.

Best regards,

[REDACTED]
 OTP Case Manager

From: Trial Chamber V Communications [REDACTED]
Sent: lundi 23 mai 2022 17:15
To: Trial Chamber V Communications [REDACTED]; OTP CAR IIB Managers [REDACTED] OTP CAR IIB Operations [REDACTED] OTP CAR IIB Case Management <[REDACTED]> D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team OPCV [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED]
Subject: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear all,

The Single Judge takes note of the request by P-2475's Rule 74 duty counsel notified today (Urgent Application for Assurances under Rule 74(3)(c) of the Rules, 23 May 2022, ICC-01/14-01/18-1423-Conf).

Noting that P-2475's testimony will commence tomorrow, 24 May 2022, responses to the request, if any, should be submitted today, by **18:00**.

Kind regards,

TC V

From: Proulx, Marie-Hélène
Sent: 23 May 2022 17:51
To: [REDACTED]; Trial Chamber V Communications; OTP CAR IIB Managers; OTP CAR IIB Operations; OTP CAR IIB Case Management; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication
Subject: Re: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear Trial Chamber V,

The Defence for Mr Ngaissona defers to the Chamber's discretion on request ICC-01/14-01/18-1423-Conf.

Thank you and kind regards,
 Marie-Hélène Proulx, on behalf of Ngaissona Defence

From: [REDACTED]
Sent: 23 May 2022 17:34
To: Trial Chamber V Communications [REDACTED]; OTP CAR IIB Managers [REDACTED]; OTP CAR IIB Operations [REDACTED]; OTP CAR IIB Case Management [REDACTED]; D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer [REDACTED]; Chamber Decisions Communication [REDACTED]
Subject: RE: CORRIGENDUM: Order shortening response deadline to 'Urgent Application for Assurances under Rule 74(3)(c) of the Rules' (1423-Conf)

Dear Trial Chamber V,

The Defence for Mr Yekatom does not intend to respond to the 'Urgent Application for Assurances under Rule 74 (3)(c) of the Rules' (ICC-01/14-01/18-1423-Conf) and respectfully defers to the Chamber's discretion.

Best regards,

[REDACTED]
 Case manager, Yekatom Defence

From: Trial Chamber V Communications [REDACTED]
Sent: 23 May 2022 17:15
To: Trial Chamber V Communications [REDACTED]; OTP CAR IIB Managers [REDACTED]; OTP CAR IIB Operations [REDACTED]; OTP CAR IIB Case Management [REDACTED]; D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]
Cc: Associate Legal Officer-Court Officer <[REDACTED]>; Chamber Decisions Communication <[REDACTED]>

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Noting that P-2475's testimony will commence tomorrow, 24 May 2022, responses to the request, if any, should be submitted today, by **18:00**.

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TC V

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