

Annex 1

Public

[REDACTED]

From: Trial Chamber I Communications
Sent: 10 May 2022 14:18
To: Abd Al Rahman Prosecution Team; D31AbdAlRahmanDefenceTeam [REDACTED]
V47AbdAlRahmanLRVTeam [REDACTED]
Cc: FS Items Communication; Trial Chamber I Communications; Associate Legal Officer-
Court Officer
Subject: Decision on submission of evidence through P-0120
Attachments: Annex A to the Prosecution's fifth application under rule 68 (2) (b).pdf; P-0120 - List
of Material for Submission; Defence Request for admission into evidence of the
material tendered through witness P-0120

Dear Counsel,
Dear colleagues,

The Chamber notes the submission of one item (the witness statement) by the Prosecution (email of 29 April 2022 at 17:23) and the submission of four items by the Defence (email dated 29 April 2022 at 17:46), both following the testimony of P-0120.

Noting that the items tendered were used and discussed with P-0120, and that the submissions are unopposed, the Chamber hereby recognises the items identified in the e-mails above as formally submitted.

The Chamber notes that the Prosecution has not requested the submission of four items that are associated material to the prior recorded testimony of P-0120 (DAR-OTP-0124-0832, DAR-OTP-0219-8979, DAR-OTP-0124-0833 and DAR-OTP-0219-8982; *see* ICC-02/05-01/20-579-Conf-AnxA and Decision ICC-02/05-01/20-625-Conf). For completeness of the record, the Chamber deems the aforesaid items must also be formally submitted pursuant to Rule 68(3) of the Rules.

The Registry is therefore directed to proceed in accordance with paragraph 31(iv) of the Directions on the conduct of the proceedings (filing 478).

Kind regards,

[REDACTED]
(on behalf of Trial Chamber I)

From: Kalb, Eva
Sent: 29 April 2022 17:46
To: Trial Chamber I Communications
Cc: Abd Al Rahman Prosecution Team; V47 Abd Al Rahman LRV Team; Associate Legal Officer-Court Officer; D31 Abd-Al-Rahman Defence Team
Subject: Defence Request for admission into evidence of the material tendered through witness P-0120

Dear Trial Chamber I,

Pursuant to the procedure set out in paragraphs 31-33 of the *Directions on the conduct on proceedings* (ICC-02/05-01/20-478), the Defence hereby seeks the admission into evidence of the material used through Witness P-0120 listed below.

All the relevant material has been disclosed, either by the Prosecution or the Defence.

For ease of reference, the relevant Transcript pages indicating the ERN of the material and the relevant excerpts where the material was discussed are also identified below:

- **DAR-OTP-0021-0296, The Criminal Act 1991** (Tab 1 Defence List).
- **DAR-OTP-0118-0075, The Peoples Armed Forces Act 1986** (Tab 2 Defence List).
- **DAR-D31-0006-0032, Consideration of Reports submitted by State Parties under Article 40 of the Covenant** [paras referred to: 167 and 176]; T-036 ENG pg 78 (starting ln 20) to pg 80 (up to ln 6); T-037 ENG pg 96 (lns 11-15). (Tab 4 Defence List).
- **DAR-D31-0009-0003, [REDACTED]** T-037 ENG pg 49- 60 and pg 100 (lns 8-9). (Tab 9 Defence List).

Yours sincerely,

Eva Kalb, Assistant Evidence Reviewer (D31)
 On behalf of Counsel Laucci

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From: Sabatini, Claire
Sent: 29 April 2022 17:23
To: Trial Chamber I Communications
Cc: D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team; Associate Legal Officer-Court Officer; Abd Al Rahman Prosecution Team
Subject: P-0120 - List of Material for Submission
Attachments: P-0120 - List of Material for Submission.pdf

Dear Trial Chamber I,

In accordance with paragraph 31 of the “Directions on the conduct of proceedings” (ICC-02/05-01/20-478), and the “Decision on the Prosecution’s fifth request to introduce prior recorded testimonies under Rule 68(2)(b)” (ICC-02/05-01/20-579-Conf), the Prosecution respectfully requests the submission of one item ([DAR-OTP-0124-0816-R02](#)) used during the testimony of Witness P-0120.

Thank you.

Kind regards,



Claire Sabatini

Case Manager
Office of the Prosecutor
International Criminal Court
Oude Waalsdorperweg 10, 2597 AK, The Hague
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www.icc-cpi.int

Prosecution's List of Material for Submission – Witness DAR-OTP-P-0120

#	ERN (e-Court/Nuix)	Type	Main Date	Title	Tendered through this witness	To be admitted under rule 68(3) ¹
1.	DAR-OTP-0124-0816-R02	ICC Statement - General	3-Mar-2007	WITNESS STATEMENT	YES	YES

¹ This material was referred to the “Prosecution’s fifth application under rule 68(2)(b) to introduce into evidence prior recorded testimony of witnesses P-0096, P-0120 and P-0558”, [ICC-02/05-01/20-579-Conf](#) and “Annex A to the Prosecution’s fifth application under rule 68(2)(b) to introduce into evidence prior recorded testimony of witnesses P-0096, P-0120 and P-0558”, [ICC-02/05-01/20-579-Conf-AnxA](#).

ANNEX A – A2

P-0120					
I. P-0120's STATEMENT WHICH THE PROSECUTION SEEKS TO INTRODUCE UNDER RULE 68(2)(b)					
ERN	TYPE	TITLE	DESCRIPTION	REFERENCE IN PRIOR RECORDED TESTIMONY	TITLE
DAR-OTP-0124-0816-R02	ICC Statement - General				WITNESS STATEMENT
II. P-0120's ASSOCIATED MATERIAL WHICH THE PROSECUTION SEEKS TO INTRODUCE UNDER RULE 68(2)(b)					
ERN	TYPE	TITLE	DESCRIPTION	REFERENCE IN PRIOR RECORDED TESTIMONY	TITLE
DAR-OTP-0124-0832	Report	ATTACHEMENT I		At 0825, para. 41	
DAR-OTP-0219-8979	Translation - ENG	Translation of Evidence / ATTACHEMENT I	English translation of DAR-OTP-0124-0832	Nil	
DAR-OTP-0124-0833	Internal guidelines / instruction / orders	ATTACHEMENT II / [REDACTED]		At 0825, para. 41	
DAR-OTP-0219-8982	Translation - ENG	Translation of Evidence / ATTACHEMENT II / [REDACTED]	English translation of DAR-OTP-0124-0833	Nil	