

Annex 11

Public

[REDACTED]

From: Trial Chamber III Communications
Sent: 12 November 2021 10:37
To: D32 Gicheru Defence team; OTP KEN art70 [REDACTED]
Cc: Associate Legal Officer-Court Officer; Trial Chamber III Communications
Subject: shortening of response deadline with regard to filing ICC-01/09-01/20-217-Conf-Red

Follow Up Flag: Follow up
Flag Status: Flagged

Dear parties,

The Chamber notes that the Prosecution filed today application ICC-01/09-01/20-217-Conf-Red (“Prosecution’s Request pursuant to article 68 and regulation 35 for variation of time limits related to Prosecution Witness [REDACTED]”).

First, the Chamber wishes to point out that the timing of the request – one day before the deadline – is insufficient to provide the Defence with a reasonable opportunity to respond to the request and the Chamber to rule on the matter. The Chamber does not consider this to be a diligent handling of the issue and expects the Prosecution to display more rigour in the future.

For the reasons above, the Chamber temporarily suspends the deadlines with regard to the witness concerned in the Prosecution Request until it has decided on the application.

Pursuant to Regulation 34 of the Regulations, the Defence is hereby instructed to provide its response to ICC-01/09-01/20-217-Conf-Red by **Monday, 15 November 2021, noon**.

Kind regards,

Trial Chamber III