

Annex 1

Public

From: Trial Chamber I Communications
Sent: 31 May 2023 14:51
To: Trial Chamber I Communications; Laucci, Cyril
Cc: [REDACTED] Sabatini, Claire; Shah, Anand; Associate Legal Officer-Court Officer; Chamber Decisions Communication; D31 Abd-Al-Rahman Defence Team; [REDACTED]
 [REDACTED] Office of the Director DJSS; [REDACTED]
 [REDACTED] V47 Abd Al Rahman LRV Team; Abd Al Rahman Prosecution Team
Subject: RE: The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"): ICC-02/05-01/20-958-Conf+Conf-Anxs - Prosecution's response to "Requête en vertu de la Norme 23bis-3 du Règlement de la Cour"

[ICC] RESTRICTED

Dear colleagues,
 Dear counsel,

The Chamber takes notes of the proposed redacted versions sent by the parties as well as the submissions received.

The undisputed redacted versions have now been filed and will be notified shortly.

As regards the disputed redactions, and in particular Decision 770 [REDACTED], the Chamber decides that no public redacted version will be issued at this moment.

As regards all other disputed redactions, disputed redactions related namely to redactions proposed by the Prosecution (in consultation with the Registry/VWU), [REDACTED]. The Chamber notes that the purpose of [REDACTED] is to protect information and thus to maintain confidentiality. Moreover, the Chamber must take into account that the Defence investigations are ongoing in this case and the Prosecution has ongoing investigations related to other cases in the Darfur situation. Thus, the Chamber will issue the public redacted versions of the disputed decisions with all redactions proposed. These redacted versions will be notified shortly.

Kind regards,

[REDACTED]
 (on behalf of Trial Chamber I)

From: Trial Chamber I Communications [REDACTED]
Sent: 23 May 2023 15:58
To: Laucci, Cyril [REDACTED] Trial Chamber I Communications [REDACTED]
Cc: [REDACTED]; Sabatini, Claire [REDACTED] Shah, Anand [REDACTED] Associate Legal Officer-Court Officer [REDACTED] D31 Abd-Al-Rahman Defence Team [REDACTED]
 [REDACTED]

Office of the Director DJSS

V47 Abd Al Rahman LRV Team

Abd Al

Rahman Prosecution Team

Subject: RE: The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"): ICC-02/05-01/20-958-Conf+Conf-Anxs - Prosecution's response to "Requête en vertu de la Norme 23bis-3 du Règlement de la Cour"

[ICC] RESTRICTED

Dear Mr Laucci,

The Defence is authorised to file a reply by COB tomorrow, 3-page limit.

Kind regards,

(on behalf of Trial Chamber I)

From: Laucci, Cyril

Sent: 22 May 2023 16:33

To: Trial Chamber I Communications

Cc: Sabatini, Claire Shah, Anand

Associate Legal Officer-Court Officer

D31

Abd-Al-Rahman Defence Team

Office of the Director DJSS

V47 Abd Al Rahman LRV Team

Abd Al

Rahman Prosecution Team

Subject: FW: The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"): ICC-02/05-01/20-958-Conf+Conf-Anxs - Prosecution's response to "Requête en vertu de la Norme 23bis-3 du Règlement de la Cour"

Importance: High

Honourable Judges, Dear Colleagues,

This submission from the Office of the Prosecutor was preceded by a consultation between the Parties, LRVs and Registry. This is how the disagreement on the redaction of the relevant decisions was identified. We agreed on 19 May 2023 that the Prosecution would submit those issues to the Trial Chamber, but we believed that the position of the Defence would also be reflected in that submission.

Having read OTP's submissions, it appears that the position of the Defence and the reasons why it objects to OTP's proposed redactions – as communicated by emails on 17 May 2023 – are not reflected, thus depriving the Trial Chamber from the relevant information on the nature and reasons of the disagreement between the Defence and OTP.

How does the Trial Chamber wish to proceed to receive the reasons of the Defence's objections and be placed in a position to rule on it? Shall we submit these by way of a reply to the Prosecution's Response?

Please let us know,

Best regards,

Cyril Laucci.

From:

Sent: 22 May 2023 16:08

To:

[REDACTED]

[REDACTED]

Subject: The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"): ICC-02/05-01/20-958-Conf+Conf-Anxs
- Prosecution's response to "Requête en vertu de la Norme 23bis-3 du Règlement de la Cour"

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Prosecution's response to "Requête en vertu de la Norme 23bis-3 du Règlement de la Cour"

Submitted by the Prosecution

Reception Date/hour / Reçu le date/heure : 22/05/2023 15:34:00

Registration Date / Enregistré le : 22/05/2023

Notification Date / Notifié le : 22/05/2023

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