

# **ANNEX 40**

**PUBLIC REDACTED**

**From:** Trial Chamber VI Communications  
**Sent:** 16 December 2022 11:52  
**To:** [REDACTED] Trial Chamber VI Communications  
**Cc:** OTP CAR IIA Communications; D33 Said Defence Team; Said LRV Team OPCV; Chamber Decisions Communication  
**Subject:** Decision on Request for an extension of page limit to the second in-court protective measures request (rule 87 and 88)

Dear Ms Bittaye,

With regard to the Prosecution's request below, the Chamber considers that the need to set out the reasons for requesting in-court protective measures individually for each witness justifies the requested extension of page limit.

Kind regards,

Trial Chamber VI

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**From:** [REDACTED]  
**Sent:** 16 December 2022 09:54  
**To:** Trial Chamber VI Communications [REDACTED]  
**Cc:** OTP CAR IIA Communications [REDACTED] D33 Said Defence Team  
[REDACTED] Said LRV Team OPCV [REDACTED]  
**Subject:** 221216 - Request for an extension of page limit to the second in-court protective measures request (rule 87 and 88)

Dear Trial Chamber VI,

Pursuant to your order ICC-01/14-01/21-277 of 11 April 2022, the Prosecution hereby requests an extension of the page limit for its second in-court protective measures request under rule 87 and 88 from 12 pages to 21 pages. The Prosecution seeks to file this application as soon as possible.

The cover filing is 12 pages. However, the filing includes a substantive Annex A of another 9 pages, which brings the total number of additional pages needed to 9. This Annex lists the specific measures requested for each witness and the reasons for which they are requested in each case. This Annex in conjunction with the cover filing fully corresponds with the Chamber's order to file as soon as possible a motivated application seeking relevant in-court protective measures pursuant to Rule 87 of the Rules (ICC-01/14-01/21-251, para. 47).

The Prosecution considers that there are exceptional circumstances within the meaning of regulation 37(2) of the Regulations, justifying an extension of the page limit for the following reasons:

The in-court protective measures request in question pertains to 15 witnesses and the Annex lists the measures and facts for each witness on which the request is based. This Annex will allow the Chamber to receive submissions on any request and from the VWU. While the Prosecution will keep the request concise and avoid repetition, it will not be able to cover all of the necessary information relating to these 15 witnesses within the current 12 page limit. Further, it is in the interests of judicial economy to make use of an Annex here, as this will substantially reduce the overall amount of pages that the Prosecution would otherwise need to set out its arguments in relation to the 15 witnesses.

The Defence and LRV do not oppose the Prosecution's request for extension of pages.

The Prosecution therefore requests that the page limit for this application be extended by 9 pages, from 12 pages to 21 pages.

Best regards,

[REDACTED]