

**ANNEX 15**  
**Public Redacted**  
**Version**

**From:** Trial Chamber V Communications  
**Sent:** 25 August 2023 12:43  
**To:** OTP CAR IIB  
**Cc:** D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications  
**Subject:** Decision on Prosecution Requests in relation to 'bar table' application on P-1819-related material

[ICC] RESTRICTED

Dear counsel,

The Single Judge takes note of the Prosecution's information and request below.

At the outset, the Single Judge notes the Prosecution's indication that it sees itself compelled to file the mentioned 'bar table' application (the 'Application') without including the views of the Defence, in order to comply with the deadline set by the Chamber (*see* ICC-01/14-01/18-1892, para. 5).

The Single Judge further recalls that the Prosecution had already anticipated on 9 June 2023 that it may file the Application (*see* ICC-01/14-01/18-1916, para. 3), and that the decision rejecting the Prosecution's request to introduce the evidence of P-1819 pursuant to Rule 68(2)(c) of the Rules of Procedure and Evidence (the 'Rules') was issued on 11 August 2023 (*see* ICC-01/14-01/18-2021).

In the view of the Single Judge, at that time at the latest, the Prosecution could have considered, for example, presenting a request for extension of time to file the Application, with a view to giving the Defence the opportunity to provide their views on the relevant annex.

At the same time, the Single Judge notes that the material which will likely be submitted through the Application should at least in part be known to the Defence, as a significant amount of P-1819-related material was also subject to (i) a request and related decision under Rule 68(3) of the Rules (*see* ICC-01/14-01/18-1414-Conf and ICC-01/14-01/18-1661-Conf-Corr), and (ii) a subsequent request under Rule 68(2)(c) of the Rules (*see* ICC-01/14-01/18-1968-Conf).

Bearing this in mind, and with a view to ensuring efficiency and judicial economy in the current circumstances, the Single Judge, exceptionally, authorises the Prosecution to present the Application without including the views of the Defence at this stage.

The Single Judge will take this into account should the Defence present any requests for extension of time to respond to the Application.

Finally, and in light of the reasons provided, the Single Judge considers that exceptional circumstances exist, which warrant the extension of the applicable page limit pursuant to Regulation 37(2) of the Regulations of the Court for purposes of submitting an 'argumentative' annex to the Application.

Kind regards,  
 TC V

---

**From:** OTP CAR IIB [REDACTED]  
**Sent:** 24 August 2023 16:03  
**To:** Trial Chamber V Communications [REDACTED] >  
**Cc:** D29 Yekatom Defence Team [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team OPCV [REDACTED]; V44 LRV Team [REDACTED]; V45 LRV Team [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]



Should the Prosecution intend to present similar requests on any other bar table applications to be filed in line with the time limit of 25 August 2023, it is instructed to send them no later than 15:30 today.

Kind regards,  
TC V

---

**From:** OTP CAR IIB [REDACTED]  
**Sent:** 23 August 2023 15:29  
**To:** Trial Chamber V Communications [REDACTED]  
**Cc:** D30 Ngaissona Defence Team [REDACTED]; D29 Yekatom Defence Team  
<[REDACTED]>; V44 LRV Team OPCV [REDACTED] V44 LRV Team  
[REDACTED]; V45 LRV Team [REDACTED]; OTP CAR IIB [REDACTED]  
**Subject:** Request for an extension of the page-limit regarding the Facebook Prosecution Bar Table Application

Dear Trial Chamber V,  
Dear All,

The Prosecution hereby requests a page-limit extension for the submission of 'argumentative' annexes, pursuant to regulations 37(2) and 38 of the Regulations of the Court ("RoC") regarding its forthcoming Application for Submission of Facebook evidence from the Bar Table.

The requested extension is necessary to properly substantiate the relevance and probative value of the items in their related annexes (pursuant to paragraph 62 of the Initial Directions on the Conduct of the Proceedings), which in addition detail, *inter alia*, the evidence registration number ("ERN"), date, type, source identity, title, date of disclosure, and the attribution of the accounts to their user.

The Prosecution appreciates the Chamber's consideration and notes, for the Parties and Participants, that the request should be considered as 'confidential'.

Kind regards,  
On behalf of the OTP Trial Team