

ANNEX 20
Public Redacted
Version

From: Trial Chamber V Communications
Sent: 04 September 2023 09:43
To: OTP CAR IIB; D30 Ngaissona Defence Team; Court Management-Court Records
Cc: D29 Yekatom Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on the Ngaissona Defence and Prosecution Requests for Reclassification
Attachments: Ngaissona Defence Request for Reclassification of ICC-01/14-01/18-1995-Conf-Red; Request for reclassification of filing ICC-01/14-01/18-1881-Conf-Exp; Prosecution Request - Reclassification of filings : Prosecution's Response to the Ngaissona Defence's Request for reconsideration of the "Further Directions on the Conduct of the Proceedings (Presentation of Evidence by the CLRV and the Defence)" ; Prosecution Request - Reclassification of filings : Prosecution's Request for Leave to Reply to the NGAISSONA Defence's Response to the "Prosecution's Seventh Application for the Submission of Evidence from the Bar Table"(ICC-01/14-01/18-1874-Conf), ; Prosecution Request - Reclassification of filings : Prosecution's Response to the "Yekatom Defence Request for Leave to Appeal the 'First Decision on the Prosecution Requests for Formal Submission of Prior Recorded Testimonies pursuant to Rule 68(2)(c)

Dear counsel,
 Dear colleagues from the CMS,

The Single Judge notes the reclassification requests from the Ngaissona Defence and the Prosecution (emails from the Ngaissona Defence to the Chamber, 23 August 2023, at 11:23 and 29 August 2023, at 15:35 and emails from the Prosecution to the Chamber, 30 August 2023, at 10:38; at 14:06 and 31 August 2023, at 14:06) (the 'Requests').

In light of the explanations provided therein, he grants the Requests.

Therefore, the Single Judge instructs the CMS to reclassify:

- Filing ICC-01/14-01/18-1881-Conf-Exp as 'confidential' filing;
- Filing ICC-01/14-01/18-1995-Conf-Red as 'public (redacted)' filing;
- Filing ICC-01/14-01/18-2002-Conf as 'public' filing;
- Filing ICC-01/14-01/18-2007-Conf as 'public' filing; and
- Filing ICC-01/14-01/18-2008-Conf as 'public' filing.

On the same note, the Single Judge instructs the CMS to reclassify as 'confidential' the decision relating to one of the Requests, ICC-01/14-01/18-2047-Conf-Exp.

Kind regards,
 TC V

[REDACTED]

From: OTP CAR IIB
Sent: 31 August 2023 14:06
To: Trial Chamber V Communications
Cc: 'D29 Yekatom Defence Team'; 'D30 Ngaissona Defence Team'; V44 LRV Team OPCV; 'V44 LRV Team'; V45 LRV Team; [REDACTED] Associate Legal Officer-Court Officer; [REDACTED]; OTP CAR IIB
Subject: Prosecution Request - Reclassification of filings : Prosecution's Response to the "Yekatom Defence Request for Leave to Appeal the 'First Decision on the Prosecution Requests for Formal Submission of Prior Recorded Testimonies pursuant to Rule 68(2)(c)"

[ICC] RESTRICTED

Dear Trial Chamber V,

The Prosecution has reviewed its filing "Prosecution's Response to the "Yekatom Defence Request for Leave to Appeal the 'First Decision on the Prosecution Requests for Formal Submission of Prior Recorded Testimonies pursuant to Rule 68(2)(c) of the Rules', ICC-01/14-01/18-1975-Conf" (ICC-01/14-01/18-1990-Conf)", - ICC-01/14-01/18-2002-Conf.

We respectfully request for reclassification of the OTP document as Public as it does not require redactions.

Kind regards,

[REDACTED]
OTP Case Manager

[REDACTED]

From: OTP CAR IIB
Sent: 30 August 2023 14:06
To: Trial Chamber V Communications
Cc: 'D29 Yekatom Defence Team'; 'D30 Ngaissona Defence Team'; V44 LRV Team OPCV; 'V44 LRV Team'; V45 LRV Team; [REDACTED]; Associate Legal Officer-Court Officer; [REDACTED]; OTP CAR IIB
Subject: Prosecution Request - Reclassification of filings : Prosecution's Request for Leave to Reply to the NGAISSONA Defence's Response to the "Prosecution's Seventh Application for the Submission of Evidence from the Bar Table"(ICC-01/14-01/18-1874-Conf),

[ICC] RESTRICTED

Dear Trial Chamber V,

The Prosecution has reviewed its filing "Prosecution's Request for Leave to Reply to the NGAISSONA Defence's Response to the "Prosecution's Seventh Application for the Submission of Evidence from the Bar Table"(ICC-01/14-01/18-1874-Conf), (ICC-01/14-01/18-1999-Conf)", - ICC-01/14-01/18-2007-Conf.

We respectfully request for reclassification of the OTP document as Public as it does not require redactions.

Kind regards,

[REDACTED]
OTP Case Manager

[REDACTED]

From: OTP CAR IIB
Sent: 30 August 2023 10:38
To: Trial Chamber V Communications
Cc: 'D29 Yekatom Defence Team'; 'D30 Ngaissona Defence Team'; V44 LRV Team OPCV; 'V44 LRV Team'; V45 LRV Team; [REDACTED]; Associate Legal Officer-Court Officer; [REDACTED]; OTP CAR IIB
Subject: Prosecution Request - Reclassification of filings : Prosecution's Response to the Ngaissona Defence's Request for reconsideration of the "Further Directions on the Conduct of the Proceedings (Presentation of Evidence by the CLRV and the Defence)"

[ICC] RESTRICTED

Dear Trial Chamber V,

The Prosecution has reviewed its filing "Prosecution's response to *Prosecution's Response to the Ngaissona Defence's Request for reconsideration of the "Further Directions on the Conduct of the Proceedings (Presentation of Evidence by the CLRV and the Defence)" (ICC-01/14-01/18-1892)*", - ICC-01/14-01/18-2008-Conf.

We respectfully request for reclassification of the document as Public as it does not require redactions.

Kind regards,

[REDACTED]
OTP Case Manager

[REDACTED]

From: [REDACTED]
Sent: 29 August 2023 15:35
To: Trial Chamber V Communications
Cc: D30 Ngaissona Defence Team; D29 Yekatom Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; OTP CAR IIB
Subject: Request for reclassification of filing ICC-01/14-01/18-1881-Conf-Exp

Dear Trial Chamber V,

The Defence of Mr Patrice-Edouard Ngaissona (“the Defence”) hereby respectfully requests that filing ICC-01/14-01/18-1881-Conf-Exp, titled “Ngaissona Defence Motion for disclosure and lifting of redactions relating to the Article 70 Investigation” and dated 23-05-2023, be reclassified as “Confidential”.

After a careful review, the Defence is of the view that none of the information mentioned in the aforementioned document warrants redaction and that the entirety of the document can be reclassified as Confidential.

We thank you for your consideration.

Sincerely yours,

[REDACTED]

[REDACTED]
Case Manager – Ngaissona Defence Team
International Criminal Court (ICC)
Telephone number: [REDACTED]
www.icc-cpi.int

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[REDACTED]

From: [REDACTED]
Sent: 23 August 2023 11:23
To: Trial Chamber V Communications
Cc: D30 Ngaissona Defence Team; D29 Yekatom Defence Team; OTP CAR IIB; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Associate Legal Officer-Court Officer
Subject: Ngaissona Defence Request for Reclassification of ICC-01/14-01/18-1995-Conf-Red

Dear Trial Chamber V,

Having reviewed its “Confidential Redacted Version of ‘Defence Request to Exceptionally Amend Mr Ngaissona’s Restrictions on Contacts and Communications in Detention’” (ICC-01/14-01/18-1995-Conf-Red), the Defence for Mr Ngaissona is of the view that no further redactions for the public are warranted. It therefore respectfully requests that the filing be reclassified to “Public Redacted”.

Kind regards,

[REDACTED]
Case manager – Ngaissona Defence

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