

# Annex 1

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**From:** Pre-Trial Chamber II communications  
**Sent:** 05 May 2023 14:40  
**To:** Vanderpuye, Kweku; Larochelle, Philippe  
**Cc:** OTP CAR IIB Case Management; OTP CAR IIB Managers;  
[REDACTED]; Pre-Trial Chamber II communications;  
Chamber Decisions Communication; Court Management-Court Records  
**Subject:** ICC-01/14-01/22 - Decision on Prosecution's request ICC-01/14-01/22-199-Conf - Confidential

Dear Counsel,

The Chamber notes the 'Prosecution's Request pursuant to regulation 35 for an extension of the time limit to respond to the 4 May 2023 "Mokom Defence Request for Disclosure" (ICC-01/14-01/22-198-Conf)' (ICC-01/14-01/22-199-Conf) (the 'Request') and considers that it is not necessary to receive a response from the Defence in light of the current time limit for the Prosecution to file its response.

As to the merits of the Request, the Chamber considers that whilst it may be time consuming for the Prosecution to address the Defence's arguments, it is noted that the parties have had extensive *inter partes* discussions on the issues raised in the Defence's submissions, and the Prosecution could have anticipated the issues that the Defence would raise. Moreover, the Prosecution's assertion that, should the Request be granted, there is 'ample time for the Parties to adapt to its decision on the Defence Motion, given that over three months remains before the start of the confirmation of charges hearing', is incorrect. In such a case, time would necessarily have to be given for the Prosecution to implement the Chamber's decision and this would result in the Defence being hampered in the meantime in its ability to prepare for the confirmation of charges hearing, which is approaching.

For these reasons, the Chamber partially grants the Request and orders the Prosecution to provide its response by no later than Thursday 11 May 2023.

Thank you and kind regards,  
[REDACTED], on behalf of Pre-Trial Chamber II