

ANNEX 32
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Version

From: Trial Chamber V Communications
Sent: 15 December 2023 15:02
To: OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team OPCV; 'V44 LRV Team'; V45 LRV Team
Cc: Associate Legal Officer-Court Officer; Chamber Decisions Communication; Trial Chamber V Communications
Subject: Decision on Ngaissona Defence Urgent Regulation 35 Request for Provision of [REDACTED] Report

[ICC] RESTRICTED

Dear Counsel,

The Single Judge takes note of the urgent request below. In the interest of expeditiousness, he does not consider it necessary to receive views from the other participants. However, given the explanations provided, the Single Judge finds that 'good cause' exists under Regulation 35 of the Regulations. He therefore grants the request.

That being said, the Single Judge notes that the Chamber already granted an extension until 15 December 2023 to file such material and that, while mindful of the logistical challenges faced by the Ngaissona Defence lately, the latter requested additional last-minute extensions for several witnesses. The Single Judge expects that this will be the last one.

Kind regards, TC V

From: [REDACTED]
Sent: 15 December 2023 13:23
To: Trial Chamber V Communications [REDACTED]
Cc: D30 Ngaissona Defence Team [REDACTED]; V44 LRV Team [REDACTED] V44 LRV Team OPCV [REDACTED] D29 Yekatom Defence Team [REDACTED]; Associate Legal Officer-Court Officer [REDACTED] V45 LRV Team [REDACTED]; OTP CAR IIB [REDACTED]
Subject: URGENT request for variation of the deadline for provision of [REDACTED] report

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[ICC] RESTRICTED

Dear Trial Chamber,

I am writing on behalf of the Ngaissona Defence to request a short extension of the 15 December 2023 deadline with respect to the provision of the report of [REDACTED] D30-4885 pursuant to Regulation 35(1) of the Regulations of the Court. The Defence seeks variation of the deadline for provision of the report until at the latest 20 December.

The reasons for the request are to have adequate time to review and assess the report for use. The Defence anticipates receiving the report today in the afternoon but there will be limited time to read and understand it while finalising other tasks associated with the 15 December deadline. Granting the request will safeguard Mr Ngaissona's rights by ensuring the Defence has sufficient time to review the report before disclosing it.

D30-4885 [REDACTED]

The request concerns a limited scope (a report) and extent (max 3 extra days) and granting it will serve the interests of justice while causing no negative impact on the preparation of the Prosecution given the limited extension the Defence requests. The Defence appreciates the Chamber's consideration of this urgent request.

Kind regards,

[REDACTED] on behalf of the Defence for Mr Ngaïssona

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