

# Annex 1

# Public

[REDACTED]

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**From:** Trial Chamber I Communications  
**Sent:** 14 April 2023 10:17  
**To:** Abd Al Rahman Prosecution Team; D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team  
**Cc:** FS Items Communication; Associate Legal Officer-Court Officer; Trial Chamber I Communications  
**Subject:** Second decision on submission of evidence through P-1062  
**Attachments:** P-1062 - underlying notes

Dear counsel

Dear colleagues,

The Chamber recalls that, following P-1062's testimony, it ordered P-1062, through the Prosecution, to produce the underlying notes to his expert reports (filing 884).

The Chamber observes the Defence's submission that the Prosecution obtained and then disclosed these notes to the Defence. The Chamber further observes that the Defence seeks the submission into evidence of these notes (*see* email of 6 April 2023, at 23:32). The Chamber notes that the submission into evidence of this item is unopposed.

Accordingly, as per Article 69(3) of the Statute, for the completeness of the record, the Chamber recognises as formally submitted into evidence item DAR-OTP-000003852.

The Registry is therefore directed to proceed in accordance with paragraph 31(iv) of the Directions on the conduct of the proceedings (filing 478).

Kind regards,

[REDACTED]

(on behalf of Trial Chamber I).

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 30 January 2023 14:25  
**To:** Abd Al Rahman Prosecution Team; D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team  
**Cc:** FS Items Communication; Associate Legal Officer-Court Officer; Trial Chamber I Communications  
**Subject:** Decision on the submission of evidence through P-1062  
**Attachments:** P-1062 - List of Material for Submission; Re: P-1062 - List of Material for Submission

Dear Counsel,  
Dear colleagues,

The Chamber notes the submission of 67 items by the Prosecution following the testimony of P-1062 (*see* attached email of 26 January 2023, at 11:51). The Defence does not object (*see* attached e-mail of 26 January at 11:54).

Noting that the items tendered were used and discussed with P-1062, and that their submission is unopposed, the Chamber hereby recognises the items as formally submitted.

As regards one item, DAR-OTP-0202-1377, and although this video was shown and discussed with P-1062 in court (T-109, p. 5, line 19 to p. 8, line 7), the Prosecution is not seeking its submission. The Chamber notes that this is the video P-1062 analysed and from which he excerpted the other images being submitted. The Chamber further notes that this item is not formally submitted on the record (whereas the other video shown in court, DAR-OTP-0215-2697 is already formally submitted).

Accordingly, as per Article 69(3) of the Statute, for the completeness of the record, the Chamber recognises as formally submitted item DAR-OTP-0202-1377.

The above is without prejudice to the Chamber's analysis of the evidence for the purpose of its judgment pursuant to Article 74 of the Statute.

The Registry is therefore directed to proceed in accordance with paragraph 31(iv) of the Directions on the conduct of the proceedings (filing 478).

Kind regards,

[REDACTED]  
(on behalf of Trial Chamber I)

**From:** Edwards, Iain [REDACTED]  
**Sent:** 06 April 2023 23:32  
**To:** Trial Chamber I Communications; Abd Al Rahman Prosecution Team; V47 Abd Al Rahman LRV Team  
**Cc:** D31 Abd-Al-Rahman Defence Team  
**Subject:** P-1062 - underlying notes  
**Attachments:** Notes - DAR-OTP-00003852.pdf

Dear Trial Chamber I,  
Dear colleagues,

Following the Trial Chamber's decision of 27 February 2023 (Decision #884) in which P-1062 of the Netherlands Forensic Institute was directed to produce the "underlying material to his expert reports", the Prosecution obtained and then disclosed to the Defence the requested notes.

The Defence now seeks the submission into evidence of the notes (DAR-OTP-00003852, attached), which should naturally be associated to P-1062. The existence and relevance of the notes were discussed during P-1062's evidence and in the subsequent litigation. The Defence is grateful to the Prosecution for helpfully indicating that submission would not be opposed.

Kind regards,  
Iain Edwards

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**From:** Edwards, Iain [REDACTED]  
**Sent:** 26 January 2023 11:54  
**To:** Sabatini, Claire; Trial Chamber I Communications  
**Cc:** D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team; Abd Al Rahman Prosecution Team; Associate Legal Officer-Court Officer  
**Subject:** Re: P-1062 - List of Material for Submission

Thank you Claire, no Defence objections.

Can the OTP please advise as soon as possible when we might receive the underlying working notes prepared by the witness and his two NFI colleagues, as discussed in court yesterday? Many thanks.

All the best,

Iain

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**From:** Sabatini, Claire [REDACTED]  
**Sent:** 26 January 2023 11:50  
**To:** Trial Chamber I Communications [REDACTED]  
**Cc:** D31 Abd-Al-Rahman Defence Team [REDACTED] V47 Abd Al Rahman LRV Team [REDACTED] Abd Al Rahman Prosecution Team [REDACTED]; Associate Legal Officer-Court Officer [REDACTED]  
**Subject:** P-1062 - List of Material for Submission

Dear Trial Chamber I,

In accordance with paragraph 31 of the "Directions on the conduct of proceedings" (ICC-02/05-01/20-478), the Prosecution respectfully requests the submission of the items included in the attached list in relation to witness P-1062.

Please note that item #67 (DAR-OTP-00001017) is in the process of being formally disclosed and will be available in JEM by COB Friday.

Thank you.

Kind regards,

**Claire Sabatini**

Case Manager  
Office of the Prosecutor  
International Criminal Court  
Oude Waalsdorperweg 10, 2597 AK, The Hague  
Mail address: PO Box 19519, 2500 CM, The Hague, The Netherlands



[www.icc-cpi.int](http://www.icc-cpi.int)

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**Prosecution's List of Material for Submission – Witness DAR-OTP-P-1062**

#	ERN (e-Court/JEM)	Title	Type	Transcript Reference
1.	<a href="#">DAR-OTP-0223-0443</a>	Report / Netherlands Forensic Institute	Forensic Records or Reports	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 5, l. 10 – p .6, l.5.
2.	<a href="#">DAR-OTP-0223-0454</a>	Forensic method comparison of facial images (Annex 1)	Forensic Records or Reports	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 22, l. 12 – p.23, l. 14.
3.	<a href="#">DAR-OTP-0223-0461</a>	Observation list facial comparison (Annex 2)	Forensic Records or Reports	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 17, l. 3.
4.	<a href="#">DAR-OTP-00000976</a>	Second NFI report.pdf	Forensic Records or Reports	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 22. l. 17.
5.	<a href="#">DAR-OTP-0221-1467</a>	DSC_2904.MOV	Audio / Video Material	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
6.	<a href="#">DAR-OTP-0221-1468</a>	DSC_2905.MOV	Audio / Video Material	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
7.	<a href="#">DAR-OTP-0221-1469</a>	DSC_2906.MOV	Audio / Video Material	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
8.	<a href="#">DAR-OTP-0221-1470</a>	DSC_2907.MOV	Audio / Video Material	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
9.	<a href="#">DAR-OTP-0221-1471</a>	DSC_2908.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
10.	<a href="#">DAR-OTP-0221-1472</a>	DSC_2909.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.



11.	<a href="#">DAR-OTP-0221-1473</a>	DSC_2910.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
12.	<a href="#">DAR-OTP-0221-1474</a>	DSC_2911.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
13.	<a href="#">DAR-OTP-0221-1475</a>	DSC_2912.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
14.	<a href="#">DAR-OTP-0221-1476</a>	DSC_2913.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
15.	<a href="#">DAR-OTP-0221-1477</a>	DSC_2914.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
16.	<a href="#">DAR-OTP-0221-1478</a>	DSC_2915.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
17.	<a href="#">DAR-OTP-0221-1479</a>	DSC_2916.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
18.	<a href="#">DAR-OTP-0221-1480</a>	DSC_2917.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
19.	<a href="#">DAR-OTP-0221-1481</a>	DSC_2918.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
20.	<a href="#">DAR-OTP-0221-1482</a>	DSC_2919.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
21.	<a href="#">DAR-OTP-0221-1483</a>	DSC_2920.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
22.	<a href="#">DAR-OTP-0221-1484</a>	DSC_2921.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
23.	<a href="#">DAR-OTP-0221-1485</a>	DSC_2922.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
24.	<a href="#">DAR-OTP-0221-1486</a>	DSC_2923.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
25.	<a href="#">DAR-OTP-0221-1487</a>	DSC_2924.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.





26.	<a href="#">DAR-OTP-0221-1488</a>	DSC_2925.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
27.	<a href="#">DAR-OTP-0221-1489</a>	DSC_2926.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
28.	<a href="#">DAR-OTP-0221-1490</a>	DSC_2927.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
29.	<a href="#">DAR-OTP-0221-1491</a>	DSC_2928.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
30.	<a href="#">DAR-OTP-0221-1492</a>	DSC_2929.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
31.	<a href="#">DAR-OTP-0221-1493</a>	DSC_2930.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
32.	<a href="#">DAR-OTP-0221-1494</a>	DSC_2931.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
33.	<a href="#">DAR-OTP-0221-1495</a>	DSC_2932.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
34.	<a href="#">DAR-OTP-0221-1496</a>	DSC_2933.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
35.	<a href="#">DAR-OTP-0221-1497</a>	DSC_2934.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
36.	<a href="#">DAR-OTP-0221-1498</a>	DSC_2935.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
37.	<a href="#">DAR-OTP-0221-1499</a>	DSC_2936.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
38.	<a href="#">DAR-OTP-0221-1500</a>	DSC_2937.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
39.	<a href="#">DAR-OTP-0221-1501</a>	DSC_2938.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
40.	<a href="#">DAR-OTP-0221-1502</a>	DSC_2939.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.



41.	<a href="#">DAR-OTP-0221-1503</a>	DSC_2940.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
42.	<a href="#">DAR-OTP-0221-1504</a>	DSC_2941.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
43.	<a href="#">DAR-OTP-0221-1505</a>	DSC_2942.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
44.	<a href="#">DAR-OTP-0221-1506</a>	DSC_2943.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
45.	<a href="#">DAR-OTP-0221-1507</a>	DSC_2944.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
46.	<a href="#">DAR-OTP-0221-1508</a>	DSC_2945.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
47.	<a href="#">DAR-OTP-0221-1509</a>	DSC_2946.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
48.	<a href="#">DAR-OTP-0221-1510</a>	DSC_2947.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
49.	<a href="#">DAR-OTP-0221-1511</a>	DSC_2948.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
50.	<a href="#">DAR-OTP-0221-1512</a>	DSC_2949.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
51.	<a href="#">DAR-OTP-0221-1513</a>	DSC_2950.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
52.	<a href="#">DAR-OTP-0221-1514</a>	DSC_2951.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
53.	<a href="#">DAR-OTP-0221-1515</a>	DSC_2952.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
54.	<a href="#">DAR-OTP-0221-1516</a>	DSC_2953.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
55.	<a href="#">DAR-OTP-0221-1517</a>	DSC_2954.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.



56.	<a href="#">DAR-OTP-0221-1518</a>	DSC_2955.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
57.	<a href="#">DAR-OTP-0221-1519</a>	DSC_2956.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
58.	<a href="#">DAR-OTP-0221-1520</a>	DSC_2957.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
59.	<a href="#">DAR-OTP-0221-1521</a>	DSC_2958.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
60.	<a href="#">DAR-OTP-0221-1522</a>	DSC_2959.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
61.	<a href="#">DAR-OTP-0221-1523</a>	DSC_2960.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
62.	<a href="#">DAR-OTP-0221-1524</a>	DSC_2961.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
63.	<a href="#">DAR-OTP-0221-1525</a>	DSC_2962.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
64.	<a href="#">DAR-OTP-0221-1526</a>	DSC_2963.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
65.	<a href="#">DAR-OTP-0221-1527</a>	DSC_2964.JPG	Photograph/s	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.
66.	<a href="#">DAR-OTP-00001012</a>	P-1062 CV.pdf	Personal data	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 3, l.14.
67.	DAR-OTP-00001017	Signed list of ERNs reviewed by P-1062	Document	ICC-02/05-01/20-T-109-CONF-ENG RT 25-01-2023, p. 12, l. 13-25.