

**ANNEX 3**  
**Public Redacted**  
**Version**

**From:** Trial Chamber V Communications  
**Sent:** 02 November 2022 14:47  
**To:** Court Management-Court Records  
**Cc:** D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; OTP CAR IIB; Associate Legal Officer-Court Officer; Chamber Decisions Communication; VWS Legal; Trial Chamber V Communications  
**Subject:** Order to reclassify ICC-01/14-01/18-1508-Conf-Exp and its annexes

Dear colleagues from CMS,

In light of the below email, the Single Judge instructs CMS to reclassify filing ICC-01/14-01/18-1508-Conf-Exp, as well as its annexes, ICC-01/14-01/18-1508-Conf-Exp-AnxA and ICC-01/14-01/18-1508-Conf-Exp-AnxB, to confidential *ex parte*, only available to the Prosecution and the VWU.

Kind regards, TC V

**From:** OTP CAR IIB [REDACTED]  
**Sent:** 02 November 2022 14:21  
**To:** Trial Chamber V Communications [REDACTED]  
**Cc:** D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team [REDACTED] V44 LRV Team OPCV [REDACTED] V45 LRV Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED] OTP CAR IIB [REDACTED] VWS Legal [REDACTED]

**Subject:** RE: Order for the VWU to provide assessment on witness's security situation

Dear Trial Chamber V,

The Prosecution seeks the reclassification of the *ex parte* version of its request ICC-01/14-01/18-1508-Conf-Exp, and of its annexes A and B, as "*ex parte*, available to the Prosecution and to the VWU".

The requested reclassification will put the VWU in position to provide, as ordered by the Chamber, its observations on the Request, and an assessment on the security risks to which the Witness might be exposed as a result of the disclosure of the highlighted portions in the Investigation Reports appended to the Request.

Kind regards,

On behalf of OTP Trial Team

**From:** Trial Chamber V Communications [REDACTED]  
**Sent:** lundi 31 octobre 2022 18:24  
**To:** VWS Legal [REDACTED] OTP CAR IIB [REDACTED]  
**Cc:** D29 Yekatom Defence Team [REDACTED] D30 Ngaissona Defence Team [REDACTED] V44 LRV Team [REDACTED] V44 LRV Team OPCV [REDACTED] V45 LRV Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED] Chamber Decisions Communication [REDACTED] Trial Chamber V Communications [REDACTED]

**Subject:** Order for the VWU to provide assessment on witness's security situation

Dear Counsel,

dear colleagues from the VWU,

The Single Judge takes note of the Prosecution's request '*Requête de l'Accusation aux fins d'autorisation de ne pas communiquer à la Défense des informations de caractère sécuritaire fournies par le témoin [REDACTED], par dérogation à la Règle 77 du Règlement de Procédure et de Preuve*' (the 'Witness' and the 'Request') (ICC-01/14-01/18-1508-Conf-Exp and Conf-Red) concerning two investigation reports related to the Witness (the 'Investigation Reports') (ICC-01/14-01/18-1508-Conf-Exp-AnxA and AnxB). The Single Judge further takes note of the Defence teams' responses to the Request (ICC-01/14-01/18-1524-Conf; ICC-01/14-01/18-1525-Conf).

Recalling his obligations to protect the safety of witnesses and to ensure that restrictions on disclosure remain necessary and are not prejudicial to the rights of the accused, the Single Judge considers that he would be assisted by

the VWU's observations on the Request, and particularly an assessment of the security situation of the Witness. Specifically, this should include an assessment of the risks to which the Witness might be exposed on account of his upcoming testimony before the Court and the disclosure of the highlighted portions in the Investigation Reports to the Defence teams.

The VWU is instructed to submit its observations to the Chamber by 1 December 2022.

In order to facilitate this assessment, the Single Judge instructs the Prosecution to liaise with the VWU and provide it with any relevant information.

Kind regards, TC V