

**ANNEX 1**  
**PUBLIC**

[REDACTED]

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**From:** Trial Chamber I Communications  
**Sent:** 28 November 2022 16:03  
**To:** Abd Al Rahman Prosecution Team; D31AbdAlRahmanDefenceTeam [REDACTED]; V47AbdAlRahmanLRVTeam [REDACTED]  
**Cc:** FS Items Communication; Associate Legal Officer-Court Officer; Trial Chamber I Communications  
**Subject:** Decision on the submission of evidence through P-0769  
**Attachments:** P-0769 - List of Material for Submission; P-0769 - Defence List of Material for Submission

Dear Counsel,  
Dear colleagues,

The Chamber notes the submission of 6 items by the Prosecution following the testimony of P-0769 (*see* attached email of 16 November 2022 at 19:14).

The Chamber notes in this regard that item DAR-OTP-0215-4648 (and the original document in Arabic, DAR-OTP-0212-0100) has already been recognised as formally submitted through witness P-0547 (*see* Email decision of the Chamber of 28 June 2022 at 16:17). The Chamber will therefore disregard the submission of these two items through this witness.

Moreover, the Chamber recalls that during examination-in-chief, the Defence objected to the use of item DAR-OTP-0215-4658 (translation of DAR-OTP-0212-0108). The Defence argued that the document falls outside of the temporal scope of the charges in the present case (T-097-RT, p. 54, lines 5-8; p.55, lines 13-7 and 21-24). The Chamber recognises the items as formally submitted, but will take the Defence's objection into consideration when analysing the evidence for the purpose of its judgment pursuant to Article 74 of the Rome Statute.

The Chamber also notes the submission of 6 items by the Defence (*see* attached email of 17 November 2022 at 10:17).

Noting that the items tendered were used and discussed with P-0769, and that their submission is unopposed, the Chamber hereby recognises items 3-6 on the Prosecution's list of material for submission, as well as the 6 items submitted by the Defence, as formally submitted.

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:** Issa Abdel Badih, Ahmad [REDACTED]  
**Sent:** 17 November 2022 10:17  
**To:** Trial Chamber I Communications  
**Cc:** Abd Al Rahman Prosecution Team; V47 Abd Al Rahman LRV Team; D31 Abd-Al-Rahman Defence Team; Associate Legal Officer-Court Officer; [REDACTED]  
**Subject:** P-0769 - Defence List of Material for Submission

Dear Trial Chamber I,

Pursuant to the procedure set out in paragraphs 31-33 of the Directions on the conduct on proceedings (ICC-02/05-01/20-478), the Defence hereby seeks the admission into evidence of the material used through Witness P-0769 listed below.

For ease of reference, the relevant Transcript pages indicating the ERN of the material where the material was discussed are also identified below:

- DAR-OTP-0212-0116, Annex H / Decision, RT T-98, Page 4 Line 3 ;
- DAR-OTP-0215-9298, Translation of previous document: Annex H / Decision, RT T-98, Page 4 line 4 ;
- DAR-D31-00000009, Press release / ARB, RT T-98, page 19 line 23 ;
- DAR-D31-00000010, English version of the same press release, RT T-98, page 19 ;
- DAR-OTP-0200-0054-R02, [REDACTED] – Letter, RT T-98, page 26 line 1 ;
- DAR-D31-00000011, P-0769 email to OTP, RT T-98, page 58 line 13 .

Kind regards,  
 Ahmad Issa,  
 Case Manager in the Defence team of Mr. Abd-Al Rahman

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[REDACTED]

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**From:** Mazzearella, Rachel  
**Sent:** 16 November 2022 19:14  
**To:** Trial Chamber I Communications  
**Cc:** D31 Abd-Al-Rahman Defence Team; V47 Abd Al Rahman LRV Team; Associate Legal Officer-Court Officer; Abd Al Rahman Prosecution Team  
**Subject:** P-0769 - List of Material for Submission  
**Attachments:** P-0769 - List of Material for Submission.pdf

Dear Trial Chamber I,  
Dear Colleagues,

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-0769.

Please note that for item \*#6 (DAR-OTP-0199-4305), the Prosecution mistakenly attributed the provenance of the document to Witness P-0547 (ICC-02/05-01/20-T-098-ENG RT, p. 65, l. 16 to p. 66, l. 1) due to this document being incorrectly associated with P-0547 [REDACTED]. It was only after the proceedings had concluded, and following additional enquiries through the course of today, that the Prosecution was able to determine that the document does not originate from P-0547 [REDACTED].

The Prosecution apologises for this error.

Best regards,  
-Rachel Mazzearella



**Rachel Mazzearella**

Office of the Prosecutor  
International Criminal Court  
Oude Waalsdorperweg 10, 2597 AK, The Hague

[REDACTED]



**Prosecution's List of Material for Submission – Witness DAR-OTP-P-0769**

#	ERN (e-Court/JEM)	Type	Title	Transcript reference(s)	Tendered through this witness
1.	<a href="#">DAR-OTP-0212-0100</a>	Legislation / government instruction / public guidelines	Annex C / [REDACTED] [REDACTED] [REDACTED]	ICC-02/05-01/20-T-097-ENG RT, p. 68, l. 4 to p. 85, l. 22	YES
2.	<a href="#">DAR-OTP-0215-4648</a>	Translation - ENG	Translation of Evidence / Annex C / [REDACTED] [REDACTED] [REDACTED]	ICC-02/05-01/20-T-097-ENG RT, p. 68, l. 4 to p. 85, l. 22	YES
3.	<a href="#">DAR-OTP-0212-0108</a>	Correspondence - Letter	Annex E / [REDACTED]	ICC-02/05-01/20-T-097-ENG RT, p. 46, l. 24 to p. 54, l. 1 and p. 60, l. 10 to p. 64, l. 24	YES
4.	<a href="#">DAR-OTP-0215-4658</a>	Translation - ENG	Translation of Evidence / Annex E / [REDACTED]	ICC-02/05-01/20-T-097-ENG RT, p. 46, l. 24 to p.	YES

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				54, l. 1 and p. 60, l. 10 to p. 64, l. 24	
5.	<a href="#">DAR-OTP-00000433-R01</a>	List / table	████████████████████ ██████████	ICC-02/05-01/20- T-097-ENG RT, p. 5, l. 10 to p. 29, l. 11	YES
6.	DAR-OTP-0199-4305*	Legislation / government instruction / public guidelines	████████████████████	ICC-02/05-01/20- T-098-ENG RT, p. 63, l. 17 to p. 69, l. 14	YES