

ANNEX 26

Public Redacted

From: Trial Chamber VI Communications
Sent: 29 February 2024 16:05
To: OTP CAR IIA Communications; D33 Said Defence Team; Said LRV Team OPCV
Cc: Associate Legal Officer-Court Officer; Trial Chamber VI Communications; Chamber Decisions Communication
Subject: Decision on the Prosecution's request for reclassification

[ICC] RESTRICTED

Dear parties and participants,

The Chamber has considered the Prosecution's request for reclassification of its request to introduce P-2263's prior recorded testimony pursuant to rule 68(3) (ICC-01/14-01/21-693-Conf) from confidential to public.

The Chamber agrees that the filing does not contain any confidential information and accordingly instructs the Registry to reclassify the abovementioned filing. The annex shall remain confidential.

The Chamber has also considered the Defence's response to the Prosecution's request, i.e. the *Réponse de la Défense à la « Prosecution's request to introduce P-2263's prior recorded testimony pursuant to rule 68(3) » (ICC-01/14-01/21-693-Conf)* (ICC-01/14-01/21-707-Conf) and finds that it also does not contain confidential information. It accordingly instructs the Registry to also reclassify this filing from Confidential into Public.

Going forward, the Chamber expects the Prosecution to exercise greater care in the classification of its filings and to only classify them as confidential when there is a genuine reason for this. It has occurred on a number of occasions now that the Prosecution submitted a confidential filing only to request for it to be reclassified as public a few days later. This practice generates unnecessary work for everyone and should be avoided.

Kind regards,
Trial Chamber VI

From: [REDACTED]
Sent: Thursday, February 29, 2024 12:12 PM
To: Trial Chamber VI Communications [REDACTED]
Cc: OTP CAR IIA Communications [REDACTED] Associate Legal Officer-Court Officer [REDACTED]
Subject: 240229 - CAR IIA - SAID - Prosecution's request for reclassification

[ICC] RESTRICTED

Dear Trial Chamber VI,

The Prosecution has reviewed its filing ICC-01/14-01/21-693-Conf - Prosecution's request to introduce P-2263's prior recorded testimony pursuant to rule 68(3) - and respectfully requests for reclassification of the filing as public as it does not require redactions. Kindly note that the annex to ICC-01/14-01/21-693-Conf-AnxA should remain confidential.

Best regards,

[REDACTED]

Sent on behalf of the SAID Prosecution Team

