

**ANNEX 2**  
**Public Redacted**  
**Version**

**From:** Trial Chamber V Communications  
**Sent:** 01 February 2024 16:32  
**To:** OTP CAR IIB; D29 Yekatom Defence Team; D30 Ngaissona Defence Team; V44 LRV Team; V44 LRV Team OPCV; V45 LRV Team; Associate Legal Officer-Court Officer; VWS Legal  
**Cc:** Trial Chamber V Communications; Chamber Decisions Communication  
**Subject:** Hearing on 2 February 2024 cancelled

[ICC] RESTRICTED

Dear all,

The Chamber was informed by the detention centre that Mr Ngaissona [REDACTED] a hearing tomorrow, whether in Court or remotely.

In light of this, and while taking due note of the concerns expressed by the CLRV2 below, the hearing tomorrow is cancelled.

The Chamber instructs the participants to liaise in order to find a new date for the testimony of V44-0001, and the VWU to inform V44-0001 accordingly.

Kind regards,  
 TC V

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**From:** [REDACTED]  
**Sent:** Thursday, February 1, 2024 3:19 PM  
**To:** Trial Chamber V Communications [REDACTED] OTP CAR IIB [REDACTED]; 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]; VWS Legal [REDACTED]  
**Cc:** Chamber Decisions Communication [REDACTED]  
**Subject:** RE: Hearing on 1 February 2024 cancelled

You ne recevez pas souvent de courriers de la part de [REDACTED] [Découvrez pourquoi cela est important](#)

[ICC] RESTRICTED

[ICC] RESTRICTED

Dear Trial Chamber V,

The Legal Representatives of the victims of the other crimes acknowledge receipt of your e-mail.

The Legal Representatives fully understand that Mr Ngaissona's [REDACTED] does not allow him to be present at the hearing and his prerogative not to waive the right to be present during V44-P-0001's testimony.

However, the Legal Representatives wish to inform the Chamber that witness V44-P-0001 has been mobilised for her testimony since September last year.

Her testimony has already been postponed twice last year and today she seems to be still in a situation of uncertainty regarding her testimony scheduled for tomorrow.

This situation leaves the victim in a state of stress and uncertainty, even though she has already agreed in principle to her commitment and availability to give evidence in these proceedings.

In fact, since November last year, she had informed the lawyers of her intention to travel abroad because of her humanitarian situation, which is becoming untenable in Chad, where she lives as a refugee.

On each occasion, the lawyers tried to reassure her underlying the importance of her testimony.

However, having been informed of yet another postponement of her testimony, yesterday, she was very discouraged and she appeared stressed about the entire situation.

The Legal Representatives draw the Chamber's attention to this aspect and ask that the current situation of the victim is duly considered in any decision about the continuation of the hearing tomorrow. In particular, they respectfully request that the Chamber explore the possibility and willingness by Mr Ngaissona to eventually follow the hearing remotely from the Detention Centre.

Best regards,  
On behalf of external CLR2

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**From:** Trial Chamber V Communications [REDACTED]  
**Sent:** Wednesday, January 31, 2024 4:58 PM  
**To:** OTP CAR IIB [REDACTED]; 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]; VWS Legal [REDACTED]  
**Cc:** Trial Chamber V Communications [REDACTED]; Chamber Decisions Communication [REDACTED]  
**Subject:** Hearing on 1 February 2024 cancelled

[ICC] RESTRICTED

Dear all,

The Chamber was informed by the detention centre that Mr Ngaissona is unable to come to the courtroom tomorrow or attend remotely [REDACTED]. Moreover, it was informed by the Ngaissona Defence that he is not willing to waive his right to be present during D29-3014 and V44-0001's testimonies.

In light of this, the hearing tomorrow is cancelled. The Chamber will reassess tomorrow afternoon whether hearing V44-0001 in one day, on Friday, 2 February 2024, would be possible, if need be with extended hours.

Kind regards, TCV

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