

ANNEX 32
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Version

From: Trial Chamber V Communications
Sent: 18 March 2024 09:45
To: D29 Yekatom Defence Team
Cc: OTP CAR IIB; D30 Ngaissona Defence Team; V44 LRV Team OPCV; V44 LRV Team; V45 LRV Team; Associate Legal Officer-Court Officer; Trial Chamber V Communications; Chamber Decisions Communication
Subject: Order regarding the Testimony of Witness D29-P-6016

Dear Counsel,

The Single Judge takes note of the Yekatom Defence's email below.

He instructs the Yekatom Defence to file the envisioned Rule 68(3) request on the record by 20 March 2024 and indicate whether it intends to withdraw its request under Rule 68(2)(b) of the Rules (ICC-01/14-01/18-2213-Conf).

Responses to this Rule 68(3) request, if any, should be filed within two days of notification. In the interests of efficiency, all participants may refer to submissions made in the context of the Rule 68(2)(b) request, or indicate per email if they do not oppose.

Kind regards, TC V

From: [REDACTED]
Sent: 15 March 2024 16:00
To: Trial Chamber V Communications [REDACTED]
Cc: OTP CAR IIB [REDACTED]; D30 Ngaissona Defence Team [REDACTED]; D29 Yekatom Defence Team <[REDACTED]>; V44 LRV Team OPCV [REDACTED]; [REDACTED] V44 LRV Team [REDACTED] V45 LRV Team [REDACTED] Associate Legal Officer-Court Officer [REDACTED] >
Subject: [Yekatom] Testimony of Witness D29-P-6016

Dear Trial Chamber V,
Dear all,

Given the Prosecution's position on the Defence '*First Defence Request for the Formal Submission of Prior Recorded Testimony pursuant to Rule 68(2)(b)*' (ICC-01/14-01/18-2249-Conf), the Defence contacted the Prosecution *inter partes* to inquire whether they would agree to the witness D29-P-6016 testifying pursuant to Rule 68(3). The Prosecution indicated that they would not oppose such a mode of testimony for witness D29-P-6016.

Therefore, mindful of the Chamber's direction to organize standby witnesses, the Defence intends to call D29-P-6016 during the first week of the next evidentiary block, *i.e.* in the week of 8 April 2024. The Defence hereby notifies the Chamber, Parties and Participants of its intention to make an oral application to introduce the witness's evidence pursuant to Rule 68(3) upon the witness's appearance.

Kind regards,

[REDACTED]
Yekatom Defence

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