

# Annex 22

**From:** Trial Chamber V Communications  
**Sent:** 08 July 2020 11:15  
**To:** [REDACTED] Trial Chamber V Communications  
**Cc:** D30 Ngaissona Defence Team; [REDACTED] Office of the Director DJSS  
**Subject:** RE: Exceptional request for in-person visit today  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Counsel,

The Single Judge understands that the Defence essentially seeks reconsideration of decision ICC-01/14-01/18-575-Conf, in light of TC X's recent decision ICC-01/12-01/18-925-Conf.

The Single Judge recalls that TC X, while agreeing with decision ICC-01/14-01/18-575-Conf, allowed a visit merely due to the *special circumstances* in the Al Hassan case. Notably, TC X considered the *commencement of trial* as the key factor to grant a visit (ICC-01/12-01/18-925-Conf, para. 8). The Single Judge does not consider that this decision by itself, which was made under different circumstances, presents a change of circumstances.

The Single Judge sees no other reasons warranting reconsideration of his decision. Accordingly, the Defence's request is rejected.

Kind regards, TC V

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**From:** [REDACTED]  
**Sent:** 08 July 2020 09:13  
**To:** Trial Chamber V Communications  
**Cc:** D30 Ngaissona Defence Team  
**Subject:** Exceptional request for in-person visit today  
**Importance:** High

Dear Trial Chamber V,

We were informed that the legal team of Mr Al Hassan was permitted to visit their client at the Detention Centre today, and that there are exceptional circumstances which may lead the chambers of this court to override the covid-related measures in certain circumstances.

We currently find ourselves in exceptional circumstances of having to prepare the first status conference before the Chamber while facing severe limitations with respect to communications with our client. From experience these past months, communicating via telephone or videoconference does not allow for meaningful and detailed conversations with Mr Ngaissona to discuss matters of a crucial nature. An exceptional in-person meeting with Mr Ngaissona is vital to the preparation of the status conference, in particular, items 1-3 on the agenda for tomorrow.

In light of this new development in the Al Hassan case accommodating a legal visit since Your Honour's decision of 29 June 2020, and given the crucial nature of the status conference, we respectfully request that members of our legal team be permitted, on an exceptional basis, to visit Mr Ngaissona this afternoon or evening, ie. before the status conference.

Cordially and respectfully yours,



*On behalf of the Defence team for Mr Ngaiissona*

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