

ANNEX A

LIST OF AUTHORITIES

**IN CONFORMITY WITH REGULATION 23(3) OF THE REGULATIONS OF THE
COURT**

JURISPRUDENCE

INTERNATIONAL TRIBUNALS

INTERNATIONAL CRIMINAL COURT

Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido

CITATION WITHIN THE FINAL TRIAL BRIEF	FULL CITATION	LOCATION OF OR HYPERLINK TO THE SOURCE
VWU	<i>Bemba et al.</i> , Annex to Victims and Witnesses Unit's Provision of Information Pursuant to Decision ICC-01/05-01/13-182, ICC-01/05-01/13-207-Conf-Anx, 19 February 2014	Available in Court Records
Annex to Third IC Report	<i>Bemba et al.</i> , Annex to Troisième rapport du Conseil indépendant (période du 16 octobre au 23 novembre 2013), ICC-01/05-01/13-421-Conf-Anx, 22 May 2014	Available in Court Records
DCC	<i>Bemba et al.</i> , Document Containing the Charges, ICC-01/05-01/13-526-Conf-AnxB1, 30 June 2014	Available in Court Records
Confirmation Submissions	<i>Bemba et al.</i> , Prosecution Submission on Confirmation of Charges, ICC-01/05-01/13-597-Conf-AnxB, 30 July 2014	Available in Court Records
OTP Confirmation Response	<i>Bemba et al.</i> , Prosecution's Response to Defence Confirmation Submissions, ICC-01/05-01/13-646-Conf, 21 August 2014	Available in Court Records
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Annex 3 to IC Report on Seized Materials	<i>Bemba et al.</i> , Annex 3 to Rapport du Conseil indépendant sur l'analyse des pièces saisies par les autorités néerlandaises (ICC-01/05-01/13-893-Conf), ICC-01/05-01/13-982-Conf-Exp-Anx3, 3 June 2015	Available in Court Records
Auxiliary Documents Decision	<i>Bemba et al.</i> , Decision on the Submission of Auxiliary Documents, ICC-01/05-01/13-992, 10 June 2015	Available in Court Records
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PTB Annex A	<i>Bemba et al.</i> , Annex A to Prosecution Pre-Trial Brief, ICC-	Available in Court Records

	01/05-01/13-1110-Conf, 31 July 2015	
OTP Response, 3 August 2015	<i>Bemba et al.</i> , Prosecution Response to Defence Request for Disclosure of Information concerning the Fourteen Witnesses, ICC-01/05-01/13-1118, 3 August 2015	Available in Court Records
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Mangenda Bar Table Motion	<i>Bemba et al.</i> , Annex A to Jean-Jacques Mangenda’s Request for the Admission of Evidence from the Bar Table, ICC-01/05-01/13-1665-Conf-AnxA, 26 February 2016	Available in Court Records
Mangenda Motion	<i>Bemba et al.</i> , Motion to require corrected English translations, ICC-01/05-01/13-1891, 12 May 2016	Available in Court Records

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<i>Bemba</i> 15 May 2013	<i>Bemba</i> , Decision on the order of appearance of witnesses to be called by the defence following Witness D04-56, ICC-01/05-01/08-2630, 15 May 2013	Available in Court Records
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INTERNATIONAL

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RSCSL Rule	Residual Special Court Sierra Leone 'Rules of Procedure and Evidence' (amended on 2 December 2015)	http://www.rscsl.org/Documents/RSCSL-Rules.pdf
STL Rule	Special Tribunal for Lebanon 'Rules of Procedure and Evidence' (amended and corrected on 8 March 2016 and 15 March 2016) STL-BD-2009-01-Rev.8	http://www.stl-tsl.org/images/RPE/STL-BD-2009-01-Rev8_RPE_EN.pdf

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Algeria, <i>Code pénal</i>	Algeria, <i>Code pénal</i> (2015)	http://www.joradp.dz/TRV/FPenal.pdf
ABA	American Bar Association, Model Rules of Professional Conduct (2004)	http://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_table_of_contents

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NSW Crimes Act	Australia, Crimes Act 1900 (New South Wales)	http://www.austlii.edu.au/au/legis/nsw/consol_act/ca190082/
France, <i>Code pénal</i>	France, <i>Code pénal</i> , (Paris: Dalloz 2014)	See Annex C
Gabon, <i>Code pénal</i>	Gabon, <i>Code pénal</i> , No. 21/63, 31 May 1963	http://www.wipo.int/edocs/lexdocs/laws/fr/ga/ga026fr.pdf
StGB	Germany, <i>Strafgesetzbuch</i> , Neubekanntmachung vom 1. November 1998	https://www.gesetze-im-internet.de/stgb/
<i>Thesen zur Strafverteidigung</i>	Germany, Bundesrechtsanwaltskammer, <i>Schriftenreihe der Bundesrechtsanwaltskammer, Band 8 – Thesen zur Strafverteidigung</i> (Beck, Munich, 1992)	http://www.brak.de/w/files/01_ueber_die_brak/thesen-zur-strafverteidigung-band-8.pdf
Italy, Code of Conduct	Italy, Code of Conduct for Italian Lawyers (31 January 2014)	http://www.consiglionazionaleforense.it/site/home/area-avvocati/codice-deontologico-forense/articolo8605.html http://www.consiglionazionaleforense.it/site/home/area-avvocati/codice-deontologico-forense/documento8865.html
Madagascar, <i>Code pénal</i>	Madagascar, <i>Code pénal</i> , no. 240, 7 September 1962	http://www.assemblee-nationale.mg/wp-content/uploads/2013/10/Code-p%C3%A9nal-mis-%C3%A0-jour-2005.pdf
Morocco, <i>Code pénal</i>	Morocco, <i>Code pénal</i> , 4 June 2015	http://adala.justice.gov.ma/production/legislation/fr/Nouveautes/codepenal.pdf
NY Professional Code	New York State Lawyer's Code of Professional Responsibility (28 December 2007)	https://www.nysba.org/WorkArea/DownloadAsset.aspx?id=26638
NY Rules of Professional Conduct	New York State Unified Court System, Part 1200, Rules of Professional Conduct (May 1 2013)	http://www.nycourts.gov/rules/jointappellate/ny-rules-prof-conduct-1200.pdf
NZ Lawyers and Conveyancers Act	New Zealand, Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care Rules 2008)	http://www.legislation.govt.nz/regulation/public/2008/0214/latest/whole.html#DLM1437803
Philippines, Revised Penal Code	Philippines, The Revised Penal Code, Act No. 3815, 8 December 1930	http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/PHL_revis

		ed_penal_code.pdf
Sénégal, <i>Code pénal</i>	Sénégal, <i>Code pénal</i> , No. 65-60, 21 July 1965	http://www.wipo.int/edocs/lexdocs/laws/fr/sn/sn010fr.pdf
UK, Perjury Act	United Kingdom, Perjury Act 1911	http://www.legislation.gov.uk/ukpga/Geo5/1-2/6
US, 18 USC	United States, Title 18 of the United States Code	https://www.law.cornell.edu/uscode/text/18

ACADEMIC ARTICLES AND BOOKS

Barber	T. Barber, “Restrictions on Lawyers Communicating with Witnesses During Testimony: Law, Lore, Opinions, and the Rule”, 83 Fla. B.J. 58, 83-AUG Fla. B.J. 58	See Annex D
Boulloc	B. Boulloc, <i>Droit pénal général</i> , Dalloz (Paris, 2009)	See Annex D
Cohen	B. Cohen, “‘Whose line is it anyway?’: Reducing Witness Coaching by Prosecutors”, 18 N.Y.U.J. Legis. & Pub. Pol’y 985	See Annex D
Gershman	B. Gershman, “Witness Coaching by Prosecutors”, 23 Cardozo L. Rev. 829	See Annex D
Gooch	Gooch & Williams, <i>A Dictionary of Law Enforcement</i> (Oxford: Oxford UP, 2 nd ed, 2007)	See Annex D
Gosnell	C. Gosnell, “Damned If You Don’t: Liability for Omissions in International Criminal Law”, in Schabas, McDermott, Hayes (eds.) <i>The Ashgate Research Companion to International Criminal Law: Criminal Perspectives</i> (English: Ashgate 2013)	See Annex D
Keane	Keane & McKeown, <i>The Modern Law of Evidence</i> (Oxford: Oxford UP, 11 th ed, 2016)	See Annex D
Moreillon	L. Moreillon, <i>L’infraction par omission</i> (Geneva: Droz, 1993)	See Annex D
Monaghan	N. Monaghan, <i>Law of Evidence</i> (Cambridge: Cambridge UP, 2015)	See Annex D
Schabas	W. Schabas, <i>The International Criminal Court: A Commentary of the Rome Statute</i> (Oxford: Oxford UP 2010)	See Annex D
Wilson	Wilson & Wortley, <i>English Legal System</i> (Oxford: Oxford UP, 2014)	See Annex D

ONLINE ARTICLES

International Justice Monitor	W. Wakabi, “Ntaganda’s Lawyer Faults Prosecution on Witness Preparation”, <i>International Justice Monitor</i> , [web blog], 11 April 2016	http://www.ijmonitor.org/2016/04/ntagandas-lawyer-faults-prosecution-on-witness-preparation/
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TRANSCRIPTS (PROSECUTOR V. BEMBA ET AL)

Opening	ICC-01/05-01/13-T-10-CONF-ENG-29 September 2015	Available in Court Records
T-19-CONF-ENG	ICC-01/05-01/13-T-19-CONF-ENG-13 October 2015	Available in Court Records
T-21-CONF-ENG	ICC-01/05-01/13-T-21-CONF-ENG-15 October 2015	Available in Court Records
T-22-CONF-ENG	ICC-01/05-01/13-T-22-CONF-ENG-19 October 2015	Available in Court Records
T-23-CONF-ENG	ICC-01/05-01/13-T-23-CONF-ENG-20 October 2015	Available in Court Records
T-26-CONF-ENG	ICC-01/05-01/13-T-26-CONF-ENG-22 October 2015	Available in Court Records
T-27-CONF-ENG	ICC-01/05-01/13-T-27-CONF-ENG-23 October 2015	Available in Court Records
T-27-CONF-FRA	ICC-01/05-01/13-T-27-CONF-FRA-23 October 2015	Available in Court Records
T-29-CONF-ENG	ICC-01/05-01/13-T-29-CONF-ENG-27 October 2015	Available in Court Records
T-31-CONF-FRA	ICC-01/05-01/13-T-31-CONF-FRA-29 October 2015	Available in Court Records
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T-35-CONF-ENG	ICC-01/05-01/13-T-35-CONF-ENG-4 November 2015	Available in Court Records
T-40-CONF-ENG	ICC-01/05-01/13-T-40-CONF-ENG-2 March 2016	Available in Court Records
T-41-CONF-ENG	ICC-01/05-01/13-T-41-CONF-ENG-3 March 2016	Available in Court Records

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ICC-01/05-01/08-T-138-Red2-ENG	ICC-01/05-01/08-T-138-Red2-ENG-5 July 2011	Available in Court Records
ICC-01/05-01/08-T-264-CONF-ENG	ICC-01/05-01/08-T-264-CONF-ENG-29 October 2012	Available in Court Records
ICC-01/05-01/08-T-321-CONF-ENG	ICC-01/05-01/08-T-321-CONF-ENG-12 June 2013	Available in Court Records
ICC-01/05-01/08-T-322-CONF-ENG	ICC-01/05-01/08-T-322-CONF-ENG-13 June 2013	Available in Court Records
ICC-01/05-01/08-T-325-CONF-ENG	ICC-01/05-01/08-T-325-CONF-ENG-18 June 2013	Available in Court Records
ICC-01/05-01/08-T-325bis-CONF-ENG	ICC-01/05-01/08-T-325bis-CONF-ENG-18 June 2013	Available in Court Records
ICC-01/05-01/08-T-326-CONF-ENG	ICC-01/05-01/08-T-326-CONF-ENG-19 June 2013	Available in Court Records
ICC-01/05-01/08-T-328-CONF-ENG	ICC-01/05-01/08-T-328-CONF-ENG-21 June 2013	Available in Court Records
ICC-01/05-01/08-T-329-CONF-ENG	ICC-01/05-01/08-T-329-CONF-ENG-24 June 2013	Available in Court Records

ICC-01/05-01/08-T-330-CONF-ENG	ICC-01/05-01/08-T-330-CONF-ENG-25 June 2013	Available in Court Records
ICC-01/05-01/08-T-334-CONF-ENG	ICC-01/05-01/08-T-334-CONF-ENG-22 August 2013	Available in Court Records
ICC-01/05-01/08-T-337-CONF-ENG	ICC-01/05-01/08-T-337-CONF-ENG-27 August 2013	Available in Court Records
ICC-01/05-01/08-T-343-CONF-ENG	ICC-01/05-01/08-T-343-CONF-ENG-11 September 2013	Available in Court Records
ICC-01/05-01/08-T-344-CONF-ENG	ICC-01/05-01/08-T-344-CONF-ENG-12 September 2013	Available in Court Records
ICC-01/05-01/08-T-345-CONF-ENG	ICC-01/05-01/08-T-345-CONF-ENG-13 September 2013	Available in Court Records
ICC-01/05-01/08-T-347-CONF-ENG	ICC-01/05-01/08-T-347-CONF-ENG-30 October 2013	Available in Court Records
ICC-01/05-01/08-T-349-CONF-ENG	ICC-01/05-01/08-T-349-CONF-ENG-1 November 2013	Available in Court Records
ICC-01/05-01/08-T-352-CONF-ENG	ICC-01/05-01/08-T-352-CONF-ENG-14 November 2013	Available in Court Records
ICC-01/05-01/08-T-361-Red-ENG	ICC-01/05-01/08-T-361-Red-ENG-22 October 2014	Available in Court Records
ICC-01/05-01/08-T-362-Red-ENG	ICC-01/05-01/08-T-362-Red-ENG-23 October 2014	Available in Court Records

TRANSCRIPTS (PROSECUTOR V. BOSCO NTAGANDA)

ICC-01/04-02/06-T-88-ENG	ICC-01/04-02/06-T-88-ENG-22 April 2016	Available in Court Records
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TRANSCRIPTS (ICTY)

<i>Hadžić</i> , T.4380	<i>Hadžić</i> , T.4380 (9 May 2013)	http://www.icty.org/x/cases/hadzic/trans/en/130509IT.htm
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INTERCEPTS AND TRANSCRIPTIONS

The references to the intercepts are always to the latest corresponding translation, whether in English or in French, unless otherwise indicated. All documents listed below are available on Ringtail.

26 August 2013	Audio recording	CAR-OTP-0074-0991
	Transcript (Lingala)	CAR-OTP-0080-0365
	Translation (French)	CAR-OTP-0080-0228
27 August 2013	Audio recording	CAR-OTP-0074-0992
	Transcript (Lingala)	CAR-OTP-0079-0075
	Translation (French)	CAR-OTP-0079-0114
28 August 2013	Audio recording	CAR-OTP-0074-0993
	Transcript (Lingala)	CAR-OTP-0079-0082
	Translation (French)	CAR-OTP-0079-0122
	Translation (English)	CAR-OTP-0092-5469
29 August 2013	Audio recording	CAR-OTP-0074-0997
	Transcript (Lingala)	CAR-OTP-0080-0380
	Translation (French)	CAR-OTP-0080-0245
	Translation (English)	CAR-OTP-0092-5477
29 August 2013	Audio recording	CAR-OTP-0074-0998
	Transcript (Lingala)	CAR-OTP-0080-1398
	Translation (French)	CAR-OTP-0082-0107
	Translation (English)	CAR-OTP-0089-1391
30 August 2013	Audio recording	CAR-OTP-0074-0995
	Transcript (Lingala)	CAR-OTP-0079-0016
	Translation (French)	CAR-OTP-0079-0131
	Translation (English)	CAR-OTP-0091-0074
1 September 2013	Audio recording	CAR-OTP-0074-0999
	Transcript (French)	CAR-OTP-0077-1383
	Translation (English)	CAR-OTP-0091-0084
9 September 2013	Audio recording	CAR-OTP-0074-1001
	Transcript (Lingala)	CAR-OTP-0079-1648
	Translation (French)	CAR-OTP-0079-1737

	Translation (English)	CAR-OTP-0091-0091
11 September 2013	Audio recording	CAR-OTP-0074-1004
	Transcript (Lingala)	CAR-OTP-0080-0388
	Translation (French)	CAR-OTP-0080-0254
	Translation (English)	CAR-OTP-0091-0122
12 September 2013	Audio recording	CAR-OTP-0074-1009
	Transcript (Lingala)	CAR-OTP-0079-1662
	Translation (French)	CAR-OTP-0079-1754
	Translation (English)	CAR-OTP-0089-1503
12 September 2013	Audio recording	CAR-OTP-0074-1010
	Transcript (Lingala)	CAR-OTP-0079-1665
	Translation (French)	CAR-OTP-0079-1758
13 September 2013	Audio recording	CAR-OTP-0082-0002
	Transcript (Lingala)	CAR-OTP-0085-0466
	Translation (French)	CAR-OTP-0080-0475
25 September 2013	Audio recording	CAR-OTP-0074-1024
	Transcript (Lingala)	CAR-OTP-0079-0094
	Translation (French)	CAR-OTP-0079-0184
	Translation (English)	CAR-OTP-0089-1396
2 October 2013	Audio recording	CAR-OTP-0074-1027
	Transcript (Lingala)	CAR-OTP-0079-0047
	Translation (French)	CAR-OTP-0079-0191
4 October 2013	Audio recording	CAR-OTP-0074-1028
	Transcript (Lingala)	CAR-OTP-0080-0428
	Translation (French)	CAR-OTP-0080-0304
11 October 2013	Audio recording	CAR-OTP-0074-1029
	Transcript (Lingala)	CAR-OTP-0079-0053
	Translation (French)	CAR-OTP-0079-0198
16 October 2013	Audio recording	CAR-OTP-0074-1031
	Transcript (Lingala)	CAR-OTP-0080-0444
	Translation (French)	CAR-OTP-0080-0322
16 October 2013	Audio recording	CAR-OTP-0074-1032

	Transcript (Lingala)	CAR-OTP-0079-1668
	Translation (French)	CAR-OTP-0079-1762
17 October 2013	Audio recording	CAR-OTP-0080-1324
	Transcript (Lingala)	CAR-OTP-0082-1223
	Translation (French)	CAR-OTP-0082-1326
19 October 2013	Audio recording	CAR-OTP-0080-1329
	Transcript (Lingala)	CAR-OTP-0082-0691
	Translation (French)	CAR-OTP-0082-0814
	Translation (English)	CAR-OTP-0089-1422
16 October 2013	Audio recording	CAR-OTP-0080-1416
	Transcript (Lingala)	CAR-OTP-0082-1244
	Translation (French)	CAR-OTP-0082-1349
	Translation (English)	CAR-OTP-0089-1402
26 October 2013	Audio recording	CAR-OTP-0080-1362
	Transcript (Lingala)	CAR-OTP-0082-0513
	Translation (French)	CAR-OTP-0082-0649
6 November 2013	Audio recording	CAR-OTP-0080-1375
	Transcript (Lingala)	CAR-OTP-0082-0794
	Translation (French)	CAR-OTP-0082-0924
7 November 2013	Audio recording	CAR-OTP-0080-1376
	Transcript (Lingala)	CAR-OTP-0082-0528
	Translation (French)	CAR-OTP-0082-0674
8 November 2013	Audio recording	CAR-OTP-0080-1418
	Transcript (Lingala)	CAR-OTP-0082-1249
	Translation (French)	CAR-OTP-0082-1355
10 November 2013	Audio recording	CAR-OTP-0080-1419
	Transcript (Lingala)	CAR-OTP-0082-1054
	Translation (French)	CAR-OTP-0082-1140
12 November 2013	Audio recording	CAR-OTP-0080-1420
	Transcript (Lingala)	CAR-OTP-0082-1063
	Translation (French)	CAR-OTP-0082-1150