

Confidential Annex D (Prosecution, Defence, LRV, VWU, OPCV and OPCD)

RE: Contact with P-169

[REDACTED]

Sent: 30 September 2014 10:40

To: [REDACTED]
[REDACTED]

Dear Mr. Badibanga,

We refer to your email below, where you stated that the Prosecution's contact with P-169 had been made jointly with the VWU following Trial Chamber III's instruction.

In filing ICC-01/05-01/08-3150-Conf-Red, the Prosecution referred to contact with P-169 via a non-icc-cpi.int email address during 2012. Notably, in paragraph 4:

"On 6 November 2012, P169 was provided with adequate alternate means to communicate securely with the Prosecution. Since then P169 used the new communication means to contact the OSU and only a few times made resort to the old email address."

As such, there appear to have been numerous occasions of contact between the Prosecution and P-169, and apparently not conducted jointly with VWU pursuant to Trial Chamber III's instruction. We would be grateful for the immediate disclosure of all email and other written exchanges with P-169, and any other video or audio recordings, minutes and/or notes of your conversations with him, whether in the presence of VWU or otherwise.

Regards,

Bemba Defence Team