

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

RE : Contact with P-169

[REDACTED]

Sent: 06 October 2014 13:34

To: [REDACTED]
[REDACTED]

Cc: [REDACTED]
[REDACTED]

Dear Mr. Badibanga,

On 2 October 2014, we were informed by Mr. Scaliotti that the Prosecution was in the course of reviewing its materials in order to effect disclosure of materials related to P-169. That afternoon, the Defence requested the Prosecution to facilitate disclosure of all materials concerning P169 (communications, notes, minutes, payment and assistance provided to him) by 3 October 2014 in order to respect the right of the defence to have adequate means and facilities in relation to its preparation for the upcoming hearing of P169.

The Defence did not receive any response nor has any material been disclosed.

The Prosecution referred to the existence of previously undisclosed communications with P-169 in a filing dated 25 September 2014. There does not appear to be any objective justification for the Prosecution's failure to disclose such communications in the eleven days, which have elapsed since the date of that filing.

Moreover, on 2 October 2014, the Defence asked the Prosecution to disclose all payments and other forms of assistance given by the Prosecution to P-169 and the 21

witnesses listed in the annex of his letter of 5 August 2013, as well as all correspondence and documentation concerning these payments. Again, the Defence has not received a response.

The Defence will therefore seize the Chamber of these matters unless disclosure of all requested materials is effected by 10am tomorrow.

Kind Regards,

Bemba Defence Team.