

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

Payments to Witnesses 169, 178 and the 21 witnesses listed in the 5 August letter's annex

[REDACTED]

Sent: 02 October 2014 13:40

To: [REDACTED]
[REDACTED]
Cc: [REDACTED]
[REDACTED]

Dear Mr. Badibanga,

We refer to the Prosecution's submissions in ICC-01/05-01/08-2897-Conf, that the payments to Witnesses 169, 178 and the 21 witnesses listed in the annex to the letter of 5 August 2014 "do not go beyond the ordinary requirements of subsistence". In light of the assertion made by P-169 concerning the subornation of the testimony of the 21 witnesses, the Prosecution payments to these witnesses – even if merely subsistence - are material to the preparation of the Defence, as they will assist in the Defence preparation of P-169's examination during his upcoming testimony, and will play an important role in the testing of his credibility.

We would therefore be grateful if details of 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 2014, as well as all correspondence and documentation concerning these payments, could be disclosed forthwith.

Kind Regards,

Bemba Defence Team