

# **Annexure M**



M. Karim Khan  
1 Harcourt Buildings Temple London EC4Y 9DA  
382 London Chancery Lane,  
London,  
United Kingdom

Reference: 110630/LMO

Date: 30 June 2011

**Reference: The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (No: ICC-02/05-03/09): Interview of Prosecution witnesses (Defence reference: D-AB/2011/14; D-SJ/2011/14)**

Dear Mr. Khan,

Thank you for your letter of 6 June 2011.

I have considered your request to interview certain Prosecution witnesses, and I agree to your request. However, any interviews of Prosecution witnesses by the Defence should follow the procedure outlined in my letter to you of 20 January 2011.

In the meantime, I can confirm that the Office has contacted three of the eight witnesses that you have listed (Witnesses 441, 307 and 314), and they have all indicated that, at this time, they are not agreeable to be interviewed by the Defence.

The Office is still attempting to contact the remaining five witnesses and will revert to you as soon as we have a response from them.

Yours sincerely,

Luis Moreno Ocampo



M. Karim Khan  
1 Harcourt Buildings Temple London EC4Y 9DA  
382 London Chancery Lane,  
London,  
United Kingdom

Reference: 1107012/LMO

Date: 12 July 2011

**Reference: The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (No: ICC-02/05-03/09): Interview of Prosecution witnesses (Defence reference: D-AB/2011/14; D-SJ/2011/14)**

Dear Mr Khan,

Further to your request to interview certain Prosecution witnesses and my response to you of 30 June 2011 (Reference: 110630/LMO), I should hereby like to inform you that the Office has contacted a fourth witness (Witness 466) out of the eight witnesses that you have listed, and that he indicated that, at this time, he is not agreeable to be interviewed by the Defence.

The Office will inform you as soon as we have a response from the remaining four witnesses.

Yours sincerely,

Luis Moreno Ocampo



Anand Shah [REDACTED]

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## Request to interview witnesses 304, 305, 306 & 312

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Zago, Alice [REDACTED] &gt;

Tue, Sep 13, 2011 at 6:21 PM

To: "Khan, Karim" [REDACTED]

Cc: [REDACTED]

"Omofade, Adebawale" [REDACTED]

&gt;, "Criscitelli, Sara" [REDACTED]

&gt;, "Baiesu, Victor" [REDACTED]

&gt;, "Popova, Biljana" [REDACTED]

&gt;, "Sachdeva, Manoj" [REDACTED]

Dear Mr Khan,

With respect to your request to interview Prosecution witnesses 0304, 0305, 0306, and 0312, further to our response of 30 June 2011 (ref. 110630/LMO) the Prosecution would like to confirm that it has tried all individual contact details at its disposal as well as it has been reaching out to third parties to facilitate contact with the four witnesses. To date however the Prosecution has been unable to speak to these witnesses and will continue its endeavours to be able to do so in the future. The Prosecution will inform you as soon as an answer to your request is obtained from the witnesses concerned.

Let me also hereby acknowledge receipt of your request to interview Prosecution witnesses 0439 and 0442 as per your email earlier this afternoon at 14:35 hours. The Prosecution will respond to that request in a separate communication.

Best regards,

Alice Zago

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**From:** Khan, Karim [REDACTED]**Sent:** 07 September 2011 18:02**To:** Omofade, Adebawale; Criscitelli, Sara; Baiesu, Victor; Zago, Alice; Popova, Biljana**Cc:** [REDACTED]**Subject:** RE: Request to interview witnesses 304, 305, 306 & 312

[Quoted text hidden]

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Anand Shah [Redacted]

## FW: Request to Interview Prosecution Witnesses 0439 & 0442

Lawrie, Leigh [Redacted] Wed, Oct 5, 2011 at 10:23 AM  
 To: "karimahmadkhan@[Redacted] [Redacted] [Redacted] "soriba\_yillah [Redacted] [Redacted] Nick Koumjian  
 [Redacted] [Redacted] [Redacted] [Redacted] Anand Shah [Redacted] [Redacted] [Redacted] [Redacted] "aidanbrindellis [Redacted] [Redacted]  
 [Redacted]

**From:** Omofade, Adebawale [Redacted]  
**Sent:** 04 October 2011 17:05  
**To:** Lawrie, Leigh  
**Cc:** Criscitelli, Sara; Baiesu, Victor; Zago, Alice; Popova, Biljana; Kiprotich, Lynette; Yillah, Ibrahim; Shah, Anand Ajay; Koumjian, Nicholas; Katulu, Anna; Khan, Karim  
**Subject:** RE: Request to Interview Prosecution Witnesses 0439 & 0442

Dear Ms Lawrie,

Thank you for your email.

The Prosecution responded to Mr Khan’s email on 26 September 2011. A copy of our response, which was inadvertently sent to Mr Khan alone, is attached.

You will note from the email attached that we have obtained and already provided a response from the first individual that you mention (Witness 442).

As for the second individual (witness 439), we are still attempting to contact him and will revert to you as soon as we have a response from him. May we also kindly request that where possible, witnesses are referred to by their witness numbers in email communications between the parties.

Kind Regards,

*Ade M. Omofade*

Trial Lawyer,

Office of the Prosecutor

Tel: Redacted

Mob: Redacted

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]