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No.: ICC-01/09-01/11

Date: 5 July 2011

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Cuno Tarfusser

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF THE PROSECUTOR V. WILLIAM SAMOEI RUTO, HENRY
KIPRONO KOSGEY AND JOSHUA ARAP SANG**

**Public
With Confidential Annex A**

**Prosecution's Resubmission of Annex D2 to the "Prosecution's Second
Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions" (ICC-01/09-
01/11-105)**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Luis Moreno-Ocampo, Prosecutor
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Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms. Paolina Massidda

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia, Registrar
Didier Preira, Deputy-Registrar

Victims and Witnesses Unit

Defence Support Section

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 3 June 2011, the Prosecutor filed its second application for redactions¹ with confidential *ex parte* Annexes A to H. This included an in-depth analysis chart relating to the evidence disclosed on 3 June 2011 (document ICC-01/09-01/11-105-Conf-Exp-AnxD2).
2. On 28 June 2011, in her “Second Decision on the Prosecutor’s Requests for Redactions and Related Requests” the Single Judge ordered the Prosecution to resubmit the in-depth analysis chart annexed to the second application for redactions in a separate filing,² for the same reasons set out in the “First Decision on the Prosecutor’s Requests for Redactions and Related Requests”, namely, to “retain clarity and order in the record of the case”.³ The Prosecution hereby resubmits the in-depth analysis chart, submitted as Annex D2 to its second application for redactions, as a confidential annex to this filing.



Luis Moreno-Ocampo
Prosecutor

Dated this 5th day of July 2011
At The Hague, The Netherlands

¹ “Prosecution’s Second Application Pursuant to Rule 81(2) and Rule 81(4) for Redactions to Statements of Witnesses and Related Materials to Be Relied Upon at the Confirmation Hearing”, 3 June 2011, ICC-01/09-01/11-105-Red. On 7 June 2011, the Prosecutor submitted an addendum attaching Annex I which he had omitted to append to the second application and re-submitting Annex A; ICC-01/09-01/11-112-Conf-Exp.

² ICC-01/09-01/11-152-Conf, para. 24, and order (f).

³ ICC-01/09-01/11-145-Conf-Red, para. 83.