

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 16 August 2011

PRE-TRIAL CHAMBER II

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

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 and Confidential Annex B

**Defence of Mr. Henry Kiprono Kosgey's Submission of List of Evidence and
Analysis.**

Source: Defence

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
Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Counsel for William Samoei Ruto:

Joseph Kipchumba Kigen-Katwa, David
Hooper QC, Kioko Kilukumi Musau,
Kithure Kindiki

Counsel for Henry Kiprono Kosgey:

George Odinga Oraro, Julius Kemboy
and Allan Kosgey

Counsel for Joshua Arap Sang:

Joseph Kipchumba Kigen-Katwa, Joel
Kimutai Bosek and Philemon K.B. Koech

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia, Registrar

Counsel Support Section

Deputy Registrar

Mr. Didier Daniel Pereira, Deputy
Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Defence for Henry Kiprono Kosgey hereby submits its List of Evidence and a Table of Analysis of its evidence pursuant to the Single Judge's direction that for purposes of Confirmation of Charges Hearing.
2. Annex A contains the List of Evidence. Annex B contains a comprehensive analysis of the disclosed material and their relevance.
3. The Defence requests that Annex A and Annex B be received by the Single judge as "Confidential" due to the fact that they include sensitive details such as the identities of witnesses, extracts from statements, and sources of Defence exhibits. The Defence is in the process of liaising with the Victims and Witnesses Unit to determine whether protective measures vis-à-vis the public are required, and does not wish to prejudice the security of witnesses and information providers in the interim.



George Odinga Oraro
On behalf of Henry Kiprono Kosgey

Dated this 16th day of August 2011,
At Nairobi, Kenya