

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 6 September 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

Defence Filing in the Record of the Case of Witness KEN-D09-P-0002's Statements

Source: Defence for Mr. William Samoei Ruto

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 William Ruto

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

Counsel for Henry Kosgey

George Odinga Oraro, Julius Kemboy
and Allan Kosgey

Counsel for Joshua Sang

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

Legal Representatives of the Victims

Sureta Chana

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

Counsel Support Section

Deputy Registrar

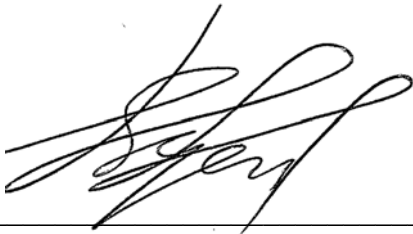
Mr. Didier Daniel Preira

Victims and Witnesses Unit

Detention Section

1. Pursuant to the Pre-Trial Chamber's oral order of 3 September 2011, issued by virtue of Article 69 (3) following Witness KEN-D09-P-0002's testimony,¹ the Defence for Mr Ruto ('Defence') hereby files in the record of the case the written statements of Witness KEN-D09-P-0002, dated 31 December 2010 and 14 August 2011.² The Defence annexes an English translation of the statement of 14 August 2011.³

Respectfully submitted,



Joseph Kipchumba Kigen-Katwa
On behalf of Mr. William Samoei Ruto

Dated this 6th day of September 2011

In The Hague

¹ ICC-01/09-01/11-T-7-CONF-ENG ET 03-09-2011, p. 95, l. 10-23.

² Respectively, Annex 1 and Annex 2. These statements were first disclosed by email to the Pre-Trial Chamber, the parties and participants, on 5 September 2011.

³ Annex 3. This translation was prepared by the Defence.