



Original: English

No.: ICC-01/09-01/11
Date: 19 December 2012

TRIAL CHAMBER V

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Christine Van den Wyngaert
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

*IN THE CASE OF
THE PROSECUTOR v. WILLIAM SAMOEI RUTO and JOSHUA ARAP SANG*

**Public Redacted version,
With Confidential Annex A**

**Prosecution's Communication of the Disclosure of Evidence in accordance with
ICC-01/09-01/11-458**

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

Ms. Fatou Bensouda
Ms. Cynthia Tai

Counsel for the Defence

For William Samoei Ruto:

Mr. David Hooper
Mr. Kioko Kilukumi Musau

For Joshua Arap Sang:

Mr. Joseph Kipchumba Kigen-Katwa
Mr. Joel Kimutai Bosek

Legal Representatives of Victims

Mr. Wilfred Nderitu

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Paolina Massidda

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States Representatives

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REGISTRY

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Defence Support Section

Victims and Witnesses Unit

Maria Luisa Jacome-Martinod

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Victims Participation and Reparations Section

Other

1. In keeping with prior practice to keep the Chamber informed of the execution of its disclosure obligations, and in accordance with the Chamber's "Order regarding redactions"¹, the Prosecution herewith submits its communication of the disclosure to the Defence of incriminatory evidence pursuant to Article 61(3)(b) of the Rome Statute ("the Statute").
2. On 17 December 2012, the Prosecution disclosed 25 items, as spelled out in the list attached as Confidential Annex A.² The Prosecution notes that it did not disclose [REDACTED].
3. Redactions to the content and metadata of the disclosed documents have been implemented in accordance with the Chamber's "Decision on the protocol establishing a redaction regime".³
4. This filing is classified as Confidential *ex parte* Prosecution Only due to the confidential nature of certain materials discussed herein. A public redacted version will be filed concurrently.



Fatou Bensouda, Prosecutor

Dated this 19th day of December 2012

At The Hague, The Netherlands

¹ ICC-01/09-01/11-482.

² Annex 1 is classified as Confidential due to the confidential nature of the materials disclosed. The disclosure included materials addressed in the Prosecution's "Second application for delayed disclosure of witness identities and application for variation of the 5 November 2012 deadline with respect to Witnesses 15, 16 and 32" (ICC-01/09-01/11-515-Conf-Exp) as well as materials related to P-0025.

³ ICC-01/09-01/11-458.