

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 9 April 2013

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
With Confidential Annex A**

Prosecution's Communication of the Disclosure of Evidence

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

Mr. James Stewart

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. Silas Chekera

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

Ms. Paolina Massidda

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia

Deputy Registrar

Mr. Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Ms. Maria Luisa Martinod-Jacome

Detention Section

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 as well as exculpatory evidence pursuant to Article 67(2) of the Rome Statute ("the Statute").
2. On 2 April 2013, the Prosecution disclosed 47 items, as spelled out in the list attached as Confidential Annex A². The items disclosed are audio recordings of interviews carried out pursuant to Rule 111 of the Rules of Procedure and Evidence, upon request of the Defence. The signed statements relating to these witnesses have already been previously disclosed to the Defence. Other items disclosed include six documents on the Prosecution's List of Evidence, two transcripts of witness screenings and excerpts of screening notes relating to trial witnesses.



Fatou Bensouda

Prosecutor

Dated this 9th day of April 2013

At The Hague, The Netherlands

¹ ICC-01/09-01/11-482.

² Annex A is classified as Confidential due to the confidential nature of the materials disclosed.