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

Date: 25 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 provision of lesser redacted version of Pre-Trial Brief

Source: The Office of the Prosecutor

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

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Other

Submissions

1. Pursuant to an *inter partes* request from the Defence for Mr. Sang, and the undertaking made by the Prosecution at the status conference held on 14 February 2013, the Prosecution filed an updated Pre-Trial Brief on 25 February 2013.¹
2. Since that date, the identities of four further Prosecution witnesses have been disclosed to the Defence: P-0024 (disclosed on 13 March 2013), P-0495 (13 March 2013), P-0536 (13 March 2013) and P-0524 (17 April 2013).
3. The Prosecution hereby re-submits to the Defence via confidential Annex A its Pre-Trial Brief with redactions lifted to the identifying information of the above four witnesses. The Prosecution notes that the only redactions now present in the Pre-Trial Brief as provided apply to identifying information of witness P-0534, whose identity remains subject to delayed disclosure.
4. Finally, as first stated in the 'Prosecution's provision of materials pursuant to Decision ICC-01/09-01/11-440'², and since restated,³ it is reiterated that the citations provided are for ease of reference, and are merely indicative of the testimony the Prosecution anticipates from its witnesses at trial. Further, the Pre-Trial Brief is intended as a summary of the Prosecution's trial evidence; it is not necessarily exhaustive, and the evidence may differ from the summary presented.



Fatou Bensouda, Prosecutor

Dated this 25th day of April, 2013
At The Hague, The Netherlands

¹ ICC-01/09-01/11-625

² ICC-01/09-01/11-540, para. 13.

³ ICC-01/09-01/11-625, para. 4.