

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/09-02/11

Date: 21 June 2013

TRIAL CHAMBER V(B)

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Robert Fremr
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

***IN THE CASE OF
THE PROSECUTOR V. UHURU MUIGAI KENYATTA***

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

Fatou Bensouda
James Stewart
Adesola Adeboyejo

Counsel for Uhuru Muigai Kenyatta

Steven Kay QC and Gillian Higgins

Legal Representatives of Victims

Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel
Didier Daniel Preira

Defence Support Section

Victims and Witnesses Unit

Patrick Craig

Detention Section

**Victims Participation and Reparations
Section**

Fiona McKay

Other

1. The Prosecution submits its communication of the disclosure of incriminatory evidence pursuant to Articles 61(3)(b), 64(3)(c) and 67(1)(a) and (b) of the Statute. The Prosecution also notifies the Chamber of the disclosure of potentially exculpatory evidence pursuant to Article 67(2) of the Statute, and of material falling within Rule 77 of the Rules of Procedure and Evidence.
2. On 19 June 2013, the Prosecution re-disclosed 471 items and re-issued metadata fields for 868 items to the Defence, all listed in Confidential Annex A. These items were re-disclosed to the Defence with A.4 redactions that had previously been applied to the identities of investigators now lifted. The Prosecution also lifted redactions to the identifying information of certain third parties mentioned in the witness statements.¹
3. Finally, the Prosecution disclosed one translation of previously disclosed audio/video material.²



Fatou Bensouda,
Prosecutor

Dated this 21st day of June 2013
At The Hague, The Netherlands

¹ Identities of these individuals were previously disclosed to the Defence *via* email on 4 April 2013.

² KEN-OTP-0105-0101 is a translation of KEN-OTP-0049-0052, which was disclosed on 19 July 2011.