

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No: ICC-01/09-02/11

Date: 28 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

Prosecution response to the Defence request for a list of witness statements and transcripts

Source: The 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

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1. In the Defence “Response to the ‘Prosecution certification of review of its case file pursuant to Trial Chamber V’s 26 April 2013 order (ICC-01/09-02/11-728)’”, the Defence requested the Chamber to order the Prosecution to specify:

... in respect of each witness, the ERN relating to the latest version of every transcript or statement attributable to that witness, organized in chronological order, identifying clearly the transcripts and/or statements to be relied upon at trial.¹

2. The Trial Chamber, in its “Decision on commencement date of trial” (“Scheduling Decision”), reserved its decision on the above request “until such time as the Prosecution has had the opportunity to submit a response”.² The Chamber instructed the Prosecution to submit any response to the request by 28 June 2013.³
3. The Prosecution appreciates the opportunity to respond and advises that the Defence request may be denied as moot since the Prosecution voluntarily provided the Defence with the requested list on 25 June 2013.



Fatou Bensouda,
Prosecutor

Dated this 28th day of June 2013
At The Hague, The Netherlands

¹ ICC-01/09-02/11-759, paras 13, 21.

² ICC-01/09-02/11-763-Red, page 16 (disposition).

³ Email from Trial Chamber V(B)’s Legal Officer, 20 June 2013, 13:17.