



Original: English

No.: ICC-01/09-02/11
Date: 28 October 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 Annexes A and B

Prosecution communication of the disclosure of evidence

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

Fatou Bensouda
James Stewart
Benjamin Gumpert

Counsel for Uhuru Muigai Kenyatta

Steven Kay QC
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
Caroline Walter

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

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).
2. On 24 October 2013, the Prosecution disclosed 32 items, listed in Annex A. The disclosed items are audio recordings of interviews with Witness 12, as requested by the Defence, the transcripts of which had previously been disclosed.
3. On 25 October 2013, the Prosecution disclosed eight items, listed in Annex B. The disclosed items are transcripts and translations of audio recordings of conversations with Witness 12 and other individuals, the audio recordings of which have previously been disclosed.



Fatou Bensouda,
Prosecutor

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