



Original: English

No.: ICC-01/09-02/11
Date: 4 November 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 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

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Legal Representatives of Victims

Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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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), 67(1)(a) and (b), and of material falling within Rule 77.
2. On 1 November 2013, the Prosecution disclosed a total of 42 items, listed in Annex A. Of these items, there are recordings of interviews with Witness 152 and a lesser redacted version of Witness 12's diary, as requested by the Defence.
3. The Prosecution also disclosed combined transcripts and translations of audio recordings of conversations between Witness 12 and other individuals and transcripts of a recent interview with Witness 217, the audio recordings of which have previously been disclosed. Additionally, the Prosecution disclosed emails sent by Witness 11 to the OTP Information Desk.



Fatou Bensouda,
Prosecutor

Dated this 4th day of November, 2013
At The Hague, The Netherlands